Oakland City Planning Commission **AGENDA**

Zoning Update Committee **May 15, 2013**

Notice – Staff reports are available on-line. See web site and download instructions below.

CONVENE **4:00 P.M.**
Mark Dunakin Hearing Room 1, City Hall
One Frank H. Ogawa Plaza

ROLL CALL

DISCUSSION

Discussion of the proposed zoning regulations, Draft Design Guidelines and Draft General Plan Amendments, associated with the implementation of the Lake Merritt Station Area Plan (Station Area Plan).

The City is preparing the Station Area Plan and Environmental Impact Report (EIR) for the area surrounding the Lake Merritt BART Station to provide a roadmap for how the area develops over the next 25 years. The Planning Area is generally bounded by 14th Street to the north, I-880 to the south, Broadway to the west and 5th Avenue to the east. Staff will present proposed Zoning Regulations and General Plan Amendments, associated with the Station Area Plan.

For more information, please contact Christina Ferracane at 510-238-3903 or, and you can visit the project website at http://www.business2oakland.com/lakemerrittsap

OPEN FORUM

ADJOURNMENT By 5:30 unless a later adjournment is agreed to by a quorum of the Committee. The regular business meeting of the Planning Commission commences at 6:00p.m

NEXT MEETING: To be determined

Staff reports are available online, generally the Friday prior to the meeting, at **www.oaklandnet.com.** Select the **"Government"** tab, scroll down and click on "**Planning and Zoning**" (under "CEDA"), click on " visit the **Boards and Commissions page**", **s**croll down to Planning Commission Committees and click on **"Zoning Update Committee"**. The agenda, staff reports and attachments are all in one packaged PDF document. Please note that not all attachments may be included with online staff reports. Staff reports with attachments are available for pick-up at the Planning and Zoning Division, 250 Frank H. Ogawa Plaza, Suite 3315.

For other questions or general information on the Oakland City Planning Commission, please contact the Community and Economic Development Agency, Planning and Zoning Division, at 510-238-3941.

♿ This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening devise, please call the Planning Department at 510-238-3941 or TDD 510-238-3254 at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.

Location:	Lake Merritt Station Planning Area is generally bounded by 14th Street to the north, I-880 to the south, Broadway to the west and 5th Avenue to the east.
Proposal:	The City is preparing a specific plan (called the "Lake Merritt Station Area Plan") and Environmental Impact Report (EIR) for the area surrounding the Lake Merritt BART Station that will provide a roadmap for how the area develops over the next 25 years. Staff will present proposed Zoning Regulations and General Plan Amendments, associated with the Station Area Plan.
Applicant:	City of Oakland
Case File Number:	ZS11225, ER110017
General Plan:	Land Use and Transportation Element (LUTE) Areas: Central Business District, Institutional, Urban Open Space, Urban Residential, Business Mix, Community Commercial, Neighborhood Center Mixed Use Estuary Plan Areas: Planned Waterfront Development 1, Mixed Use District
Zoning:	CBD-X, CBD-P, CBD-P/CH, CBD-R, CBD-C, OS-(SU), OS-(LP), OS-(NP), OS-(RCA), S-2, RU-4, RU-5, M-40/S-4
Service Delivery District:	Metro, 3
City Council District:	2, and a small portion of 3
Staff Recommendation:	Provide comments, and forward draft documents on to the full Planning Commission.
For Further Information:	**Christina Ferracane** at **510-238-3903** or **cferracane@oaklandnet.com** Project website: **http://www.business2oakland.com/lakemerrittsap**

SUMMARY

The City is preparing draft zoning regulations and General Plan amendments to accompany and implement the concepts and policies contained in the *Lake Merritt Station Area Plan*. These implementation documents will help establish the future character of the area by providing detailed guidance on allowed land use activities, buildings heights and tower design, required parking and open space for new development, and guidance on compatible and pedestrian-oriented design for new buildings and public spaces.

The *Draft Lake Merritt Station Area Plan (Draft Plan)* was included as an attachment to the January 30, 2013 joint Planning Commission and Landmarks Preservation Advisory Board staff report. It can also be viewed online at www.business2oakland.com/lakemerrittsap (under the section called 'Reports') and is available for review at the Oakland Asian Cultural Center (388 9th Street), the Lincoln Square Recreation Center (250 10th Street) and the City of Oakland Planning Department (250 Frank Ogawa Plaza, Suite 3315).

BACKGROUND

The City of Oakland, Bay Area Rapid Transit (BART), and the Peralta Community College District, through a grant from the Metropolitan Transportation Commission (MTC), have come together to prepare a specific plan for the area that encompasses a generally one-half mile radius around the Lake Merritt BART Station - including Chinatown, Laney College, civic buildings owned by Alameda County and the City of Oakland, the channel connecting Lake Merritt to the Estuary, and a portion of Eastlake.

For the past four years, stakeholders have participated in numerous community workshops, focus groups, charettes, surveys and personal interviews. Ongoing participation by the Community Stakeholders Group (CSG) has been a crucial component of the development of the *Draft Plan.* Zoning concepts were presented at a CSG meeting in summer of 2012 and at a large community open house in December 2012.

Since the joint Planning Commission and Landmarks Preservation Advisory Board meeting on January 30, 2013, when staff presented a summary of community comments and members of the public presented supplemental comment letters, the City has received additional comment letters, compiled in ***Attachment A – Public Comments.***

REGULATORY AND POLICY FRAMEWORK

As prescribed by State Law, the proposed zoning regulations and General Plan amendments are consistent with citywide and regional policies, in addition to the more specific policies contained in the *Draft Plan*, as described below.

Oakland General Plan and Estuary Policy Plan

The Oakland General Plan outlines a vision for Oakland's long-range development and growth. The *Land Use and Transportation Element* (*LUTE*) of the Oakland General Plan recommends that future residential growth in Oakland be strategically directed to areas with high transit connectivity (Transit Oriented Districts), such as Downtown, along major transit corridors, and at the city's BART stations. It suggests that land uses, densities, and transportation systems be planned to support increased development in these areas. The goal behind this strategy is to increase transit use, revitalize the City's commercial districts, and concentrate development where there is available land to create compact, pedestrian- oriented districts.

The *LUTE* designates the majority of the Planning Area as the "Central Business District" general plan land use classification, but also includes some "Open Space", "Institutional", "Urban Residential" and "Business Mix" land use designations. The Central Business District (CBD) land use classification recommends a mix of large-scale offices, commercial, urban (high-rise) residential, institutional, open space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses. These uses are intended to encourage, support and enhance the Downtown area as a high-density, mixed-use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation in Northern California.

The *Estuary Policy Plan* element of the Oakland General Plan identifies land use classifications for the portion of the Planning Area along the waterfront, south of I-880. The *Draft Plan* aligns with open space policies in the *Estuary Policy Plan*, including its direction to: "Create a system of public open spaces that connects Lake Merritt Channel to the Estuary", and to: "Work with public agencies to extend the open space inland from the Channel." The *Estuary Policy Plan* also calls for the creation of a Webster Street Green, a link connecting the Jack London District to Chinatown via open space under the I-880 freeway.

Additional *General Plan* elements, including the *Historic Preservation Element,* the *Open Space, Conservation, and Recreation (1996) Element,* the *Bicycle Master Plan (2007)* and the *Housing Element (2010)* contain policy guidance applicable to the Planning Area.

Regional and other Agency Regulation and Planning Efforts

An important recently-adopted State law that impacts planning and development in Oakland is SB375, which requires that ABAG and the Metropolitan Transportation Commission (MTC) adopt, as part of their regional transportation plan, a "sustainable community strategy" that will meet the region's target for reducing Greenhouse Gas emissions (GHG). These strategies would help reduce automobile travel, a major contributor to GHG in Oakland, by promoting smart growth principles such as:

- Development near public transit;
- Construction of mixed use projects; and
- Creation of housing that is affordable in the inner Bay Area to help reduce new housing developments in outlying areas.

The Planning Area includes a significant amount of land owned and utilized by other jurisdictions, including the Peralta Community College District, the Oakland Unified School District (OUSD),

Alameda County and BART. Several of these agencies have completed Master Plans, which are reflected in the *Draft Plan*. It should also be noted that the City of Oakland does not have planning jurisdiction over these agencies if they are utilizing their property to conduct their mandated services. However, if the agencies choose to sell their property or lease it out for other activities (such as development of a private mixed-use project), they are subject to City of Oakland zoning regulations.

Existing Zoning Regulations
The current zoning regulations for much of the Planning Area were adopted between 2008 and 2011, as part of the citywide effort to update zoning regulations to conform to the City's *Land Use and Transportation Element* of the *General Plan*. These include the areas zoned CBD (Central Business District), CIX (Commercial and Industrial Mix), and RU (Urban Residential). The Open Space zoning (OS) was implemented earlier, after the adoption of the *Open Space, Conservation, and Recreation Element* in 1996. However, there are portions of the Planning Area that have not yet been comprehensively rezoned, and still have zoning that was put into place in the 1960s, including a small area zoned as M-40 Heavy Industrial, and a large area zoned S-2 Civic Center. The existing zoning districts in the Planning Area are illustrated in ***Attachment A – Existing Zoning Map***. The recently rezoned areas also include separate Height Maps, as illustrated in ***Attachment F – Existing and Proposed Height Area Map,*** which determine allowed height limits, densities, and building tower massing**.**

PROJECT DESCRIPTION

The *Draft Plan* identifies near-term and long-term improvements related to transportation, services, recreational and open space opportunities, and new development in the Planning Area. It projects that 4,900 new housing units, 4,100 new jobs, 404,000 square feet of additional retail space and 1.2 million square feet of additional office space could be created in the Planning Area by 2035. The *Draft Plan* includes vision and goal statements, specific policies, and implementation measures, which provide a roadmap for how the Planning Area will develop into the future.

The shared vision for the Lake Merritt Station Area Plan includes the following broad priorities:

- Create an active, vibrant and safe district
- Encourage service and retail
- Encourage equitable, sustainable and healthy development
- Encourage non-automobile transportation
- Increase and diversify housing
- Encourage job creation and access
- Identify additional open space and recreation opportunities
- Celebrate and enhance Chinatown as an asset and a destination
- Model progressive innovations (economic, environmental, social)

The proposed land use policy framework for the Planning Area is intended to help implement the *Draft Plan's* vision and goals, is described on pages 4-2 to 4-3 of the *Draft Plan* (and included as part of the staff report as ***Attachment B – Land Use Character Map and Descriptions***). This framework illustrates the desired land use and physical character of the different parts of the Planning Area and is the basis for the following regulatory actions that will accompany the adoption of the *Draft Plan:*

I. Draft General Plan Amendments
II. Draft Zoning Regulations
III. Development Incentive Program

These regulatory actions are just one component of a full menu of implementation mechanisms (described in more detail in Chapter 10 of the *Draft Plan)* that together will help achieve the Plan's goals and policies.

The *Draft Lake Merritt Station Area Plan Design Guidelines* are an additional implementation tool that

will accompany the *Draft Plan.* Although this staff report will not discuss the guidelines, they are included as reference in ***Attachment C – Draft Design Guidelines.*** The guidelines were discussed at a Design Review Committee meeting of the Planning Commission on April 3, 2013, and will be reviewed by the full Planning Commission, as described in the Next Steps section of this report.

I. Draft General Plan Amendments

The *Draft Plan* recommends that the Oakland General Plan be amended to reflect the new policy direction contained in the *Lake Merritt Station Area Plan.* The proposed General Plan amendments are changes to the land use diagram contained in the *Land Use and Transportation Element* (*LUTE)* and the *Estuary Policy Plan* (*EPP).* Table 1 shows the proposed General Plan Amendments recommended in the *Lake Merritt Station Area Plan*; and they are illustrated in ***Attachment D – General Plan Map Amendments***.

Table 1. **Summary Table of Proposed General Plan and Estuary Policy Plan Amendments**

Map ID #	Acres	Location	Existing GP Designation	Proposed GP Designation	Description
1	7.9	Lakeside Drive south of Lake Merritt	Central Business District	**Urban Park and Open Space**	Measure DD 12th Street Project area below Lake Merritt, near Kaiser Auditorium. Currently zoned CBD-X.
2	1.2	Lakeside Drive above the Kaiser Auditorium	Institutional	**Urban Park and Open Space**	12th Street Project area - Part of Measure DD, where street reconfiguration is in progress, near parking lot behind Kaiser Auditorium. Currently zoned S-2.
3	5.8	Lot which contains Kaiser Auditorium	Institutional	**Central Business District**	Kaiser Auditorium and its parking lot. Currently zoned S-2.
4	1.0	Laney College Eagle Village, Art Center and Tennis Courts	Urban Park and Open Space	**Institutional**	Location of several buildings and the Tennis Courts on the eastern edge of the Laney College Campus. Currently Zoned OS(LP)/S-4.
5	0.3	Corner of Lakeshore Avenue and Lake Merritt Blvd near the Lakeside Apartments;	Urban Residential	**Urban Park and Open Space**	Triangular open space between streets. Currently zoned RU-3.
6	0.5	SW Corner of Lake Merritt Blvd and E 12th St	Institutional	**Urban Park and Open Space**	Streets and open spaces between streets reconfiguring due to the Measure DD 12th Street project. Currently zoned RU-3 and S-2.
7	4.5	Two lots facing 11th Street (Oakland Unified School District buildings and Dewey High School)	Institutional	**Urban Residential**	The properties include Oakland Unified School District buildings and Dewey High School. It also includes the new city-owned lot created due to reconfiguration of streets, which were E 12th Streets and open space in between. Currently zoned S-2.
8	3.1	Lot between 3rd and 4th Avenues, and 11th Street and International Boulevard	Institutional	**Urban Residential**	State Employment Department building. Currently zoned RU-5.
9	13.2	Lots between E 7th Street and I-880, Lake Channel and 5th Avenue	Business Mix	**Central Business District** ***(Alternative: Community Commercial)***	Peralta Community College district Administration building below Laney College's baseball field. Includes some storage buildings below. Currently zoned S-2, CIX-2, and CIX-2/S-19.

Map ID #	Acres	Location	Existing GP Designation	Proposed GP Designation	Description
10	4.0	Lots below I-880 facing the Lake Channel	Estuary Policy Plan (EPP): Planned Waterfront Development 1	**EPP: Parks**	Industrial areas with storage and warehouses. Currently zoned S-2 and M-40/S-4.

Note that for each of these proposed General Plan Amendments, corresponding new zoning is also being proposed (discussed in a separate section of this report). Additional details about these ten proposed General Plan Amendments are described below:

1. **Lakeside Drive south of Lake Merritt:** This approximately eight-acre section south of the Lake is the site of the City's 12th Street reconstruction project, channel and wetland naturalization and the opening of the Lake Merritt channel into the Lake; projects funded under the City's Measure DD. The General Plan designation today is "Central Business District"; the proposal for the *Draft Plan* is for "Urban Park and Open Space." This proposal reflects the land use on the ground; there are no sites for commercial development in this eight-acre portion of the Planning Area.

2. **Lakeside Drive above the Kaiser Auditorium:** An approximately one-acre portion of the Planning Area, near the parking lot behind Kaiser Auditorium. This is also part of the Measure DD construction project at 12th Street. Today, the General Plan designation is "Institutional"; the proposal for the *Draft Plan* is "Urban Park and Open Space," for the same reasons as #1, above.

3. **Kaiser Auditorium and parking lot:** approximately six acres, currently designated "Institutional" in the General Plan. Proposal from the *Draft Plan* is "Central Business District," which will enable the widest possible re-use of this iconic piece of City property.

4. **Laney College "Eagle Village":** one-acre channel-side space near the Laney College Campus, currently designated "Urban Park and Open Space" in the General Plan. The College has already built facilities on this property, so the proposed amendment is to recognize that fact and designate it "Institutional."

5. **Corner of Lakeshore Avenue and Lake Merritt Blvd, near the Lakeside Apartments:** three-quarters of an acre site of mostly public right-of-way and open space between streets, some formed from the Measure DD 12th Street construction improvements. The current GP designation is "Urban Residential," but there is no private property on which to build, so the proposal is for a designation of "Urban Park and Open Space."

6. **Southwest Corner of Lake Merritt Blvd and East 12th Street:** half-acre portion of land, formed by Measure DD construction improvements, of mostly public right-of-way and open space between streets. The current GP designation is "Institutional," but there is no private property on which to build, so the proposal is for a designation of "Urban Park and Open Space."

7. **Two lots facing 11th Street:** four and a half acres of land with Oakland Unified School District buildings and Dewey High School; also includes a new city-owned lot created due to reconfiguration of streets under Measure DD construction. The current GP designation is "Institutional;" the proposed designation is "Urban Residential" to allow OUSD and the City of Oakland the greatest flexibility in any reuse of the sites.

8. **Lot between 3rd and 4th Avenues, and 11th Street and International Boulevard**; State Employment Department building on three acres. Currently designated "Institutional," the proposed designation is "Urban Residential" to match the character of the surrounding area, and

to provide the option for residential development in the future.

9. **Lots between E 7th Street and I-880, Lake Channel and 5th Avenue**: Peralta Community College District administration building complex on thirteen acres, to the south of the Laney College baseball field. The current designation is "Business Mix" and the proposed designation is "Central Business District," which will allow the most flexibility in any reuse of the sites in the future, should the Peralta District choose to redevelop it. Note that because this site is not identified as an opportunity site in the *Draft Plan*, no specific development program has been assumed at this location, nor has any development program been studied in the Plan EIR.

- ***Peralta District Alternative,*** an alternative General Plan designation for the Peralta Community College District administration building complex is "Community Commercial"; this designation, when compared to the current "Business Mix" designation would also provide the Peralta District flexibility in the future in the types of activities and uses permitted, should the site be ever redeveloped. However, the first option of extending the "Central Business District" designation to the east side of the Lake Merritt Channel and the Peralta Community College District administration building complex is the recommendation of staff, since it will allow and encourage the school district to jointly master plan the future of this large and important school district property in coordination with the current master planning process underway for the Laney College parking lot.

10. **Lots south of I-880 facing the Lake Channel:** four acres of industrial lots which are currently designated in the *Estuary Policy Plan* as "Planned Waterfront Development 1." The proposed amendment maps both shores of the Lake Merritt Channel in this area as "Parks," an Estuary Policy Plan designation. This GP amendment *does not* include the East Bay MUD pumping station building on the east shore of the Channel, on the triangular lot between the I-880 and the Embarcadero, but rather, just maps the waterfront banks of that lot, approximately 120 feet east from the center of the channel. Likewise, on the west side of the Channel, this proposed amendment maps as "Parks" the 200 feet west from the center of the Channel, which includes the Oakland Fire Department training tower and facilities, and portions of the training grounds.

In addition to these General Plan mapping changes, General Plan text amendments are proposed. In the Eastlake Gateway area (near General Plan Amendments #6, 7 and 8 above), the *Draft Plan* proposes development intensities that are somewhat higher than prescribed by the *LUTE*'s Urban Residential land use classification. However, rather than creating a new land use classification that includes the higher intensities, staff proposes adding language to the *LUTE* to say that unique Lake Merritt Station Area plan densities and Floor Area Ratios (FARs) apply in the Planning Area. These higher densities are reflective of the transit-oriented goals of the *Draft Plan,* which support high density development within a half mile radius of the Lake Merritt BART Station.

Key Issues

Five of the ten proposed General Plan changes involve designating new park land. This is being proposed because the land is currently either public right of way or along the banks of the Lake Merritt Channel, and the City has long-standing goals to create continuous parkland from Lake Merritt to the Estuary.[1]

Two of the proposed General Plan changes would extend the Central Business District land use designation onto land which contains the Kaiser Auditorium and the Peralta College administration buildings (see #s 3 and 9, above). Staff is requesting these changes to provide the City, and the Peralta

[1] The *Open Space and Recreation Element* includes policy OS 7.5: Improve lateral access along the Oakland shoreline and linkages between the shoreline and nearby neighborhoods […] and the *Estuary Policy Plan* includes policies OAK-3.1: Create a system of public open spaces that connect Lake Merritt Channel to the Estuary and OAK-3.2: Work with public agencies in the area to extend the open space inland from the Channel."

College district, the most flexibility in any future re-use of these sites.

Two proposed General Plan changes would map the Urban Residential land use designation onto Oakland Unified School district facilities (see #7, above). Again, staff is requesting these changes to provide the School District the most flexibility in any future re-use of these sites.

One General Plan map change would make an already developed part of Laney College into the Institutional designation.

II. Draft Zoning Regulations

The Planning Code (zoning regulations) will also be updated in order to reflect new policy direction contained in the *Draft Plan*. New zoning for the Lake Merritt Station Area Plan area will provide specific land use and physical development regulations, including permitted activities, buildings heights and tower design, required parking and open space.

General Approach to Rezoning

Staff analyzed the existing zones for the Lake Merritt Station Area Plan area and determined how they would need to be modified in order to implement the goals and policies of the *Draft Plan*, taking into consideration the following criteria:

- Existing regulations were discussed with current planning staff, developers, the public, and Community Stakeholder Group (CSG) members to assess which were most problematic and needed adjustment.
- Development prototypes, based on different lot sizes and height limits, were analyzed in order to determine appropriate development standards for new buildings.
- Field work was conducted to review existing land use activities.
- Staff reviewed variance applications (or exceptions to development standards) granted for development projects for the period 2007 through 2012 to indicate where existing regulations might require amendment. As stated in the General Plan's *Land Use and Transportation Element* (*LUTE)* (Policy N11.3), an excessive number of variances may signal a need to update specific zoning regulations to be relaxed.

Proposed Zoning Framework

The proposed zoning framework for the Lake Merritt Station Area Plan area is to create a set of new zoning designations, using the naming system "D-LM-#" (where "D" stands for District to indicate there is an associated Specific Plan, and "LM" stands for Lake Merritt Station Area Plan). These new zones would be applied to the entire Planning Area, with the exception of public open spaces that would be designated with existing OS (open space) zones. The new zoning framework would also designate key streets where special zoning regulations would encourage active ground floor uses and pedestrian-oriented building design.

Development intensity would be regulated by a Height Map, separate from the base zone, which is based on location and context. Each Height Area would have an associated set of property development standards, including Height, Density, Bulk, and Tower regulations. This approach is similar to the approach adopted for regulating development intensity in the Central Business District and the City's commercial corridors.

Lake Merritt Station Area Plan District Zones and Height Areas

This proposal recommends the creation of five new zoning districts, specific to the Lake Merritt Station Area Plan area:

- D-LM-1 (Urban Residential)
- D-LM-2 (Pedestrian Commercial Core)
- D-LM-3 (Commercial)
- D-LM-4 (Flex)

- D-LM-5 (Institutional)

The proposal also recommends designating certain key streets as areas where new construction would be required to provide ground floor commercial space if certain thresholds are met that would ensure that the newly created commercial space would provide a viable space for a business, such as length of frontage, location on a corner, adjacent context of commercial uses. There are two types of corridors:

- Commercial Corridors
  Streets that have an existing pattern of continuous ground floor commercial, and the intent is to maintain and promote that pattern.
- Transition Commercial Corridors
  Streets that have some ground floor commercial space, and the intent is to expand the amount of ground floor commercial space

The location of these proposed zoning districts and commercial corridors is illustrated in ***Attachment E – Proposed Zoning Map. Attachment F – Proposed Height Area Map*** contains the proposed location of the ten new Height Areas within the Planning Area (Height Areas 1-10), and also includes current Height Areas.[2] The new zoning regulations would be contained in a new zoning chapter of the Oakland Planning Code (Chapter 17.101G, following the other special district zoning regulations in Chapter 17.101, such as D-OTN Oak to Ninth District Zone Regulations and D-CE Central Estuary Zoning Regulations). See ***Attachment G – Proposed Zoning Code*** for the proposed Lake Merritt Station Area Plan District zoning chapter.

Open Space Zoning
In November 2002, over 80% of Oakland voters passed Measure DD, a $198.25 million bond measure focused on waterfront improvements at Lake Merritt and the Estuary. Funded projects include parks, trails, bridges, a recreation center and an arts center, land acquisition, and creek restoration. These projects are being phased in over a number of years, but many are already complete and many others are in progress.

As illustrated in Attachment E, this proposal expands Open Space zoning adjacent to Lake Merritt, in order to incorporate new parks created from excess right of way during implementation of Measure DD projects. The new four acre park, and additional space adjacent to the Lake itself will be designated as OS-RSP (regional-serving park), expanding the OS-RSP designation found in existing Lake Merritt park space. Along the eastern side of the Lake Merritt Channel, near the 12th Street bridge, the OS-RCA (resource conservation) zoning district is being expanded in order to reflect the creation of a new tidal wetland. Existing open space adjacent to the Kaiser Auditorium facility will be rezoned from OS-LP (linear park) to OS-SU (special use), better reflecting the intended use for the space as a children's play area. The existing band of OS-RCA and OS-LP (linear park) along the length of the Estuary Channel remains and will be expanded to include publicly owned property south of I-880 and reflect the Lake Merritt and Estuary Policy Plan's vision of connecting Lake Merritt to the Estuary via public open space. Laney College land on the western side of the channel will be rezoned to OS-AF to reflect the existing athletic fields, while open space zoning designation has been removed from portions of the campus on the eastern side of the Channel, reflecting the presence of College classrooms and buildings. The existing zoning designations for Lincoln Square Park (OS-NP, neighborhood park), Madison Square Park (OS-SU, special use), and Chinese Garden Park (OS-SU) would remain the same.

[2] The Draft Height Map included in the *Draft Plan* included ten Height Areas, areas 1-9 and area 4A* - a designation on the BART blocks which was intended to indicate (using these blocks as an example) that no development would be allowed over 275' without the provision of community benefits, reflecting City Council's motion on April 2, 2012. The Draft Height Map included in this staff report has been revised to clarify that the motion applies to the entire Planning Area, not just the BART blocks. The Draft Height Map has been re-labeled to designate the ten Height areas as 1-10, where any height area which allows a maximum height above 275 feet may attain the additional height through the provision of community benefits.

Proposed Zoning Regulations
The discussion of the proposed zoning regulations are grouped as follows:

A. *Permitted Activities and Facilities*
B. *Parking Requirements*
C. *Residential Usable Open Space Requirements*
D. *Design Regulations*
E. *Intensity, Density, Height and Tower Regulations*

A. Permitted Activities and Facilities
Planning Code determines what types of land use activities and facilities are allowed in particular locations, helping to encourage desired land use activities and avoid land use conflicts. Section 17.10 of the Oakland Planning Code defines over 75 land use activities within the general categories of Residential, Commercial, Civic, Industrial and Agricultural. The City's individual zoning districts specify when each of these land use activities is allowed by right (permitted), or potentially allowed (with a Conditional Use Permit), or prohibited. Each zoning district may also include additional limitations related to specific land use activities, such as size limits, restrictions on types of uses allowed on the ground floor, and required distance separation from similar types of uses. The Planning Code also defines 21 different facility types (meaning a structure, open area, or other physical object) in the general categories of Residential, Non-Residential, Signs, and Telecommunication facilities. Facility regulations can specify requirements for new construction to be a certain facility type, such as commercial (non-residential) or residential, and prohibit certain types of facilities.

The proposed regulations for permitted activities and facilities associated with the new Lake Merrit zones are described in ***Attachment H – Proposed Permitted Activities and Facilities,*** and the location of these zones, along with commercial corridors, is illustrated in ***Attachment E – Proposed Zoning Map***.

The proposed new D-LM-1 Urban Residential Zone would apply to the portion of the Planning Area, which is currently primarily zoned RU-5, with some areas along the Channel zoned S-2. The proposed activities and limitations in the D-LM-1 zone are nearly identical to those in the RU-5 zone. Residential uses are allowed by right, along with a wide variety of commercial uses, as long as those commercial uses are located on ground floors or within *existing* multi-story commercial facilities. For certain commercial uses that require a Conditional Use Permit (such as "Fast Food Sales", or "Alcoholic Beverage Sales" land use activities), D-LM-1 would restrict these to only being considered for parcels with frontages along the commercial corridors of 1st Avenue, East 12th Street or International Boulevard. The D-LM-1 zone would allow a wide variety of commercial uses in any existing commercial facility, but it would limit the construction of *new* commercial space to ground floors on parcels with frontages on the previously mentioned commercial corridors (it would not allow the construction of new commercial space in upper stories). This is meant to maintain the primarily residential character of upper stories and side streets, and to focus larger commercial uses (that would include upper stories) to Downtown. This area contains three "Transition Commercial Corridors", 1st Avenue, International Boulevard and East 12th Street. New construction on parcels that have frontages on those streets, are required to provide at least 750 square feet of ground floor commercial if the frontage is more than 25ft wide *and* is either within an opportunity site *or* on a corner lot.

The proposed D-LM-2 Pedestrian Commercial Core zone would be applied to the Chinatown Commercial Core, to the 14th Street corridor, and to the area immediately adjacent to the Lake Merritt BART Station. These areas are currently mostly zoned CBD-P (the area around the BART station is zoned CBD-X), which restricts the types of uses allowed to locate on the ground floor to small-scale, retail-oriented activities that create significant pedestrian traffic and support the existing pattern of commercial uses. For example, "General Retail Sales" (like a gift shop or shoe store) and "Full-Service Restaurant" are allowed by right on the ground floor, but "Medical Service" (like a dentist or acupuncturist office), and "Consultative and Financial Service" (like a bank or real estate office), require a Conditional Use Permit

if located within the front 30 feet of the property. During the planning process, some stakeholders called for more flexibility in the regulations for ground floor activities, particularly for the core of Chinatown, to allow activities that had traditionally been allowed prior to the 2009 zoning process that established the CBD-P zone. In December 2010, as a placeholder until the new Lake Merritt District zoning was established, ground floor use and size restrictions were relaxed for the area between 7th, 10th, Harrison and Franklin Streets, via a "CH" combining zone. The "CH" combining zone allows a greater variety of activities to locate on the ground floor without the need for a Conditional Use Permit, including "Medical Service", and "Consultative and Financial Service". Planning Commissioners approved the "CH" Combining Zone as an interim solution, but recommended that the new Lake Merritt District zoning include regulations that would do more to maintain the critical cluster of retail uses in the core of Chinatown. Retail uses perform better when clustered together; retail customers are more likely to support adjacent retail if it's next door to other retail. To that end, the proposed new D-LM-2 zone balances the desire for more flexibility with the need to keep a continuous street frontage of retail uses. The proposal would allow non-retail uses (such as health clinics, real estate offices, offices) to have a street presence on the ground floor, but would limit the length of frontage to 25 feet per business, which is the predominant size of existing storefronts that contribute to the area's pedestrian-oriented character.

Commercial Corridors in the D-LM-2 zone would include 14th St; and portions of 8th St, 9th St, Franklin St, Webster St, Oak St. Transition Commercial Corridors include portions of 8th St, 9th St, Webster St, Franklin St, Oak St. On Commercial Corridors, new construction would be required to incorporate at least 750sf ground floor commercial space if the frontage is wider than 25 feet. On Transition Commercial Corridors, new construction would be required to incorporate at least 750sf ground floor commercial space if the frontage was more than 25ft wide *and* is either within an opportunity site *or* on a corner lot.

The proposed D-LM-3 Commercial Zone is mapped in a small portion of the Planning Area between 10th and 14th Streets, near Franklin Street. The area is currently zoned CBD-C. The proposed D-LM-3 zoning would allow a similar variety of uses, but would allow residential uses in ground floors of existing and new buildings, unless the use is within an opportunity site or on a corner lot, *and* has a street frontage greater than 25 feet. If it meets those thresholds, then it would be required to include at least 750 square feet of ground floor commercial space.

The proposed D-LM-4 Flex Commercial Zone is mapped along the I-880 freeway, along 7th Street, on the Peralta District property, on the Kaiser Auditorium, and in portions of the Planning Area between 10th, 14th, Harrison and Oak Streets. These areas are currently zoned CBD-X, CBD-R (mostly south of 10th Street) and S-2 (Kaiser and Peralta). The proposed D-LM-4 zoning would allow the variety of uses allowed in CBD-X. The areas previously zoned CBD-R would have an expanded list of allowed commercial activities, and the size limitation for uses over 7,500 square feet would be removed (this restriction does not exist for CBD-X). The areas previously zoned S-2 will also have an expanded list of allowed commercial uses. It should be noted that, in the current proposal, the D-LM-3 and D-LM-4 Zones have the same list of permitted activities and limitations.

The proposed D-LM-4 zone would establish *new requirements* for construction of ground floor commercial space in new development (CBD-X, CBD-R and S-2 do not have this requirement for ground floor commercial space). Transition Commercial Corridors in D-LM-4 include portions of 8th St, 9th St, Webster St, Franklin St and Oak St. On these Transition Commercial Corridors, new construction would be required to incorporate at least 750sf ground floor commercial space if the frontage was more than 25ft wide *and* is either within an opportunity site *or* on a corner lot.

The proposed new D-LM-5 Institutional Zone would apply to portions of the Planning Area with large institutional uses, such as Laney College, the new Downtown Educational Campus, Lincoln Elementary School, the Oakland Museum of California, and Alameda County buildings. These areas are currently zoned with a combination of CBD-X and S-2. The proposed D-LM-5 activity regulations are most

similar to those in the CBD-X zoning district; D-LM-5 would allow residential and a wider variety of commercial activities by right than S-2 zoning. For example, areas that are currently zoned S-2 require a Conditional Use Permit for activities such as "General Food Sales" (like grocery stores or bakeries), "Full-Service Restaurant", and "Limited Service Restaurant and Café" or "General Retail Sales" (like a gift shop or office supply store), but those would be allowed by right in the new D-LM-5 zone. D-LM-5 would allow Civic uses, permitting "Community Assembly Civic" (like churches, recreation centers and public gyms) by right, providing more flexibility than the current CBD-X zoning, which requires a Conditional Use Permit for that activity.

The D-LM-5 includes Transition Commercial Corridors on Oak Street, requiring new construction to incorporate at least 750sf ground floor commercial space if the frontage was more than 25ft wide *and* is either within an opportunity site *or* on a corner lot. New commercial facilities (upper and ground-floor) would be *allowed* in all D-LM-5 locations.

B. Proposed Parking Requirements

The purpose of the Oakland Planning Code's parking regulations (contained in Chapter 17.116) is to ensure that new or changed land use activities provide an adequate number of off-street parking, thereby reducing traffic congestion, allowing more efficient utilization of on-street parking. Parking requirements vary based on the zoning district and the particular land use activity. Requirements are only triggered if there is *new construction, or* a *new land use activity* on a parcel (within existing buildings if they were built after 1965), and if that activity occupies an amount of space *above a certain size threshold*. The number of required parking spaces is typically calculated based on square footage of the space occupied by the activity, number of proposed employees, or number of residential units.

A summary of existing and proposed parking regulations can be found in ***Attachment I – Existing and Proposed Parking Regulations***. Existing zoning regulations for the portion of the Planning Area west of the Estuary Channel (mostly Central Business District zoning) require zero parking spaces for Commercial, Civic or Industrial uses, while Residential uses must provide one parking space for every unit. Existing zoning regulations east of the Estuary Channel (a mix of Urban Residential and Commercial and Industrial Mix zoning today) require a range of parking spaces based on the specific zone and land use classification. Generally, there is a size threshold of 3,000 square feet before an activity is required to provide parking space.

For the area west of the Channel, the draft proposal recommends maintaining the zero parking space requirements for Commercial, Civic and Industrial uses, and reducing the requirements for Residential uses, with the most significant reductions provided for *affordable housing unit*s and units within converted *historic resources*. For the area east of the Channel, the proposal maintains the requirement for Residential uses, but proposes reducing the threshold that trigger commercial parking requirements to 5,000 square feet and also reducing the ratios, so that not as much parking is required. The Development Incentive Program (described below) that would be created for the entire Downtown area, could also allow for additional reduction in parking requirements for market-rate housing, in exchange for a series of public amenities, such as the provision of transit passes for residents.

The draft zoning proposes reductions in parking requirements, because the Planning Area is a walkable and transit-rich environment, served by multiple BART stations (Lake Merritt and 12th Street), regional AC Transit buses (including high frequency trunk lines), numerous shuttles and an Amtrak Station. According to U.S. Census data, the car ownership rates in the Planning Area between 0.64 and 0.84 per household.[3] Furthermore, throughout the nation, the current trend for zoning regulations in downtown

[3] The half mile area around the Lake Merritt BART Station is estimated to have vehicle ownership rates of 0.84 per household, and for the half mile area around the 12th Street BART Station that rate is only 0.64. *American Community Survey 2005-200, as compiled by the Center for Transit Oriented Development at http://toddata.cnt.org*

areas, including in cities like Seattle, Portland, San Diego, is to reduce parking *requirements* and *allow the market to determine the demand for parking*. This allows project developers the flexibility to dedicate funds in ways that maximize the value of their project. While a developer can choose to provide parking above the requirements; they might also want to market some units without parking, resulting in development that is less costly, since parking spaces can cost from $20,000 to $30,000 per space to construct.

The proposal recommends reductions in required parking for affordable housing projects in particular, because they tend to have a lower demand for parking spaces. A review of recently completed senior affordable housing development projects in the vicinity of the Planning Area, shows they provided approximately 0.25 parking spaces per unit, significantly below the existing requirement.[4] Additionally, in discussions with architects and developers that build affording housing, the existing one-to-one parking requirements are higher than needed based on post-occupancy analysis.[5] The draft regulations propose reducing the parking requirement for senior affordable housing to 0.25 spaces per unit, and the requirements for other types of affordable housing to 0.5 spaces per unit. The reduction in parking requirements for affordable housing is consistent with the State of California's Density Bonus provisions, and senior housing is already allowed to reduce to 0.25 spaces per unit with a Conditional Use Permit. However, allowing this reduction by right would save time and money for affordable housing developers.

Reduction in parking requirement for new residential units in historic buildings are an important part of the proposal, because existing historic buildings often do not physically have space to provide parking; making re-use of the historic resource more challenging. Initial results of a parking occupancy survey led by the City of existing residential buildings in Oakland seems to indicate that buildings that don't have parking (existing historic residential buildings) tend to attract residents with lower car ownership rates, and therefore parking demand is lower.

C. Residential Usable Open Space Requirements

Existing zoning regulations require new residential developments to include a certain amount of Usable Open Space per unit. These open areas are meant to serve the need for leisure, recreation, and space of the residents of the specific parcel that is being redeveloped; they are not meant to satisfy the open space needs of an entire neighborhood. Usable Open Space regulations also prescribe standards for the development and maintenance of this open space. Under existing zoning, no other development type (beyond residential developments over two units) require open space.

Current regulations require 75 square feet of open space per unit. The proposed regulations would reduce the requirement for Usable Open Space for particular types of uses, such as affordable housing and conversions/additions to Historic Resources, in order to facilitate those types of developments. Affordable housing already has the option of reducing open space requirements through the State Density Bonus and senior housing in particular, tends to have a lower demand for usable open space. Also, conversions or additions to Historic Resources often have difficulty incorporating new open space, so reducing these requirements would facilitate re-use of those buildings. In addition, the Development Incentive Program may include further reductions in open space requirements in exchange for public amenities. As with parking requirements, reduced open space requirement provide affordable housing developers and project involving historic resources with the flexibility needed to achieve these types of development.

The proposal would also expand the definition of required usable open space to include new off-site space (within 1000ft of the proposed development, and available only to residents of the new development) and

[4] For example, 116 6th Street provided 18 spaces for 70 units (resulting in a ratio of 0.26), and 1633 Harrison provided 20 spaces for 73 units (ratio of 0.27).

[5] Building managers estimate that in the Fox Theater building, 65 of the 80 spaces are typically occupied (0.81 ratio) and only 55 of the 80 spaces are utilized on a regular basis (0.65 ratio), and for Swan's Market and Frank G. Morrow buildings, the estimated occupancy is about 0.70 to 0.75 parking spaces per unit.

community center space (within the existing building envelope), allowing additional flexibility in providing for the recreational and leisure needs of the residents.

The stakeholders in the Station Area Plan process have noted that one of their biggest needs is for additional recreation/youth centers (to relive the burden on existing centers) and better maintenance of existing parks. The *Draft Plan* recommends that all new large developments (including non-residential uses, such as office buildings or large retail spaces) dedicate ten percent (10%) of the site area to public open space. However, these proposed open space requirements require the completion of a nexus study to demonstrate the nexus between the impact of the new development and the amount of public open space being required. A nexus study would also be needed in order to charge in-lieu fees (fees instead of requirements) to help with maintenance and programming at existing recreational spaces. Therefore, the current zoning proposal does not include requirements for new development to provide *public* open space; it only includes recommendations for usable open space for residents of new residential units. Chapter 10 of the *Draft Plan* describes implementation measures (beyond zoning regulations) for new recreational/youth center and improved maintenance at existing parks.

Related to the need for improved public open space, during the planning process, stakeholders observed that school children often utilize public open space as recreational areas in the Planning Area. There are numerous schools in the Planning Area that have located in office buildings that do not contain their own open space. However, this proposal does not include a recommendation for requiring schools to provide open space, because of concerns related to the effect of limiting the potential sites for schools (they would be limited to locations that had associated open space).

D. Design Regulations

The proposed zoning would include Design Regulations that would provide minimum design standards for new development. The Design Regulations are numerical, prescriptive requirements; examples include specific setback requirements and transparency requirements. The Lake Merritt Station Area Plan Design Guidelines will complement the regulations contained in the new Lake Merritt zoning districts. Zoning regulations are requirements (hard and fast rules) that a developer must comply with. Guidelines are generally used to describe design concepts that are not readily quantifiable (such as, a prominent pedestrian entrance), or to suggest multiple ways of meeting a desired design goal (such as the use of awnings or window design as a way to create a pedestrian scale at the sidewalk level). Design regulations, included in the proposed zoning, are utilized when parameters can be quantified, or when the City wants to ensure a particular outcome (such as, a specific amount of window glazing, or a specific maximum building height). The proposed design regulations vary from zone to zone, based on the desired character of that zone.

The proposed zoning includes specific requirements for storefront design, including minimum frontage width and minimum depth of storefront bay, to ensure that new commercial facilities are viable spaces for businesses. These regulations are drawn from guidelines developed by the City's Economic Development staff, based on analysis of business needs. The proposed zoning also includes requirements for transparency (glazing) for commercial storefronts, with higher requirements in the D-LM-2 Pedestrian Commercial Core Zone. There are also setback and step-up requirements for ground floor residential uses to provide a buffer between the street and the residential use.

E. Intensity, Density, Height and Tower Regulations

The proposed new Height Area regulations are meant to ensure that new buildings contribute to the development of great streets and neighborhoods in the Plan Area, and strengthen the Plan Area vision. ***Attachment F – Proposed Height Area Map*** contains the location of each new Height Area within the Planning Area. The draft regulations associated with each Height Area are included in the ***Attachment G – Proposed Planning Code***, and will consist of standards for: Floor Area Ratio (FAR); maximum height for both building base and tower; minimum height for new principal buildings; maximum lot coverage for building base and average per story lot coverage above the base; and tower regulations for: maximum

average area of tower floor plates; maximum tower elevation length; maximum diagonal length; and minimum distance between towers on the same lot.

The proposal includes regulations that control maximum height and bulk of a building at two primary levels: the building base and any tower that may be built above a specified maximum base height. The lower stories of a building relate directly to the sidewalk and the immediate public realm. They have the greatest influence on the experience of the pedestrian walking past the building along the street. This aspect of the building, known as the base, is a key element which ensures that the building achieves a desirable pedestrian experience, relates appropriately to immediately adjacent buildings, and creates a safe, interesting and comfortable streetscape. The building base provides a sense of enclosure, continuity, and articulation at the pedestrian scale, creating a comfortably proportioned pedestrian environment. Above the base is the tower of a tall building.

The appropriate size and scale of a building (regardless of use) is closely related to the surrounding context (e.g. street width, height as a character-defining feature in a Historic District, proximity to transit).

The proposed new zoning for the Plan Area will revise and refine the CBD zone's existing height and tower regulations that currently apply in the area. Changes to existing standards will generally consist of reducing: maximum heights, Floor Area Ratio (FAR), and average per story lot coverage above the base. Minimum heights for new principal buildings will be maintained. For example, an 85-foot base height north of 11th Street is recommended for a consistent pedestrian experience although tower heights will vary. A primary objective is to activate key streets, encourage slender towers to allow more light where appropriate and, as stated, to maintain base heights that are reflective of existing context. For example, in the 7th Street Residential Area of Primary Historic Importance (the only Historic District in the Planning Area that includes height as a character-defining feature), the height limit is proposed to be lowered to 45 feet from the currently allowed 275 feet.

Additionally, staff proposes that a building exceeding the maximum base height but not exceeding 85-feet shall be subject to set back requirements above the base instead of tower requirements. This will affect Height Areas 4, 5and 6.

The following refinements were made to the proposed Planning Area Height Map after last year's public hearings:

- Applied 45'total height limit to the Fire Alarm Building site;
- Lowered the total height limit on the King Block (in History API) to 85' (previous proposal was 85' base and 400' total);
- Applied (lower) 45'height limit to entire Alice St. frontage facing Chinese Garden Park (in Historic API);
- Applied (lower) 45' height limit to historic areas in Height Area 2b (in Historic 7th Street API), but applied (higher) 45' and 175' total height limit to the corner of 8th and Oak;
- Lowered the base height on the MTC/ABAG block to 45';
- Lowered the base height on the BART blocks from 85' to 55' base
- Lowered heights on area near Webster, Harrison, 13th and 14th Streets to 85' base and 175' total (previous proposal was 85'base and no total height limit);
- Raised the base height in Height Area 9 to 125' (previous proposal was 85' base height).
- In recognition of the Council motion on April 2, 2012, clarified on the Height Area Map that no development will be allowed over 275' without the provision of community benefits as part of a bonus and incentive program.

On January 30, 2013, the Planning Commission and Landmarks Preservation Advisory Board jointly reviewed the *Draft Plan* and expressed the following comments:

- Need fine-grained approach to heights.
- Support high density, because it will take the development pressure off historic resources.

- King Block should be Height Area 1.
- Need to understand how new development will affect existing historic districts; would like to see potential development under different scenarios (3-D modeling).
- Encourage good design to reduce perception of density.
- Support dense Transit Oriented Development, which brings its own benefit.
- Heights need to better fit with existing context.

Height limits in the Draft Plan have generally been lowered to levels below existing height limits allowed by current zoning regulations, in order to aid in addressing historic preservation issues. Further reducing height limits in only this portion of Oakland's Downtown could put the Planning Area at a competitive disadvantage when compared to other parts of Downtown. Increasing height limits is not recommended either, since the proposed Height Map will still allow significant intensification beyond what exists on the ground today.

The current Height Area proposal is consistent with one of the primary objectives of the Plan, which is to promote high-density development near transit in order to create increased activity and vibrancy in the area; and will help to make the Planning Area a desirable and economically feasible place to develop. At the same time, the proposed Height Map incorporates many refinements that will aid in addressing historic preservation issues and respectfully integrate new development into the existing urban fabric.

III. Draft Development Incentive Program

In conjunction with the Lake Merritt Station Area Plan, the City is also in the process of preparing a draft Development Incentive Program. This program is intended to provide an economic incentive for area developers to provide public amenities as part of their projects that improve the quality of life for city residents, visitors, employees, business and property owners. The program would apply to new buildings, where the amenity is provided onsite. The draft Development Incentive Program will consider relaxation of regulations, including parking and open space requirements.

The desired public amenities, often called "community benefits," could range from provision of new recreational facilities to additional publicly accessible open space. An extensive list of desired public amenities was developed as part of the Lake Merritt Station Area planning process, and is included in Chapter 10 of the *Draft Plan*.

To help City staff assess the feasibility of implementing a Development Incentive Program, the City applied for and was awarded, a $60,000 grant from the Metropolitan Transportation Commission (MTC), to pay for the consulting services of AECOM, a planning, architecture and engineering firm.

City staff intends to use the AECOM study, which should take approximately six months to complete, to help determine which specific development bonuses or relaxation of regulations would be most effective in achieving the goals of a development incentive program.

ENVIRONMENTAL DETERMINATION

The City of Oakland has determined that an Environmental Impact Report (EIR) will be prepared for the Lake Merritt Station Area Plan. The EIR will evaluate the potential effects of the Plan on environmental topics such as air quality, cultural resources, transportation, greenhouse gases, and will propose specific mitigation measures for any significant impacts. The EIR will identify alternatives to the proposed project and presents ways to reduce or avoid environmental damage.

NEXT STEPS

Staff will present draft proposals of regulatory actions accompanying the *Draft Plan* at a series of upcoming public hearings:

Date	Public Body	Meeting Topic
Summer 2013 *(tentatively in July)*	Landmarks Preservation Advisory Board Planning Commission	• *Draft Plan (and list of recommended changes)* • *Draft Zoning and General Plan Amendments* • *Draft Design Guidelines* • *Draft Environmental Impact Report*
Summer 2013 *(tentatively in July)*	Bicycle and Pedestrian Advisory Committee Parks and Recreation Advisory Commission	• *Draft Plan* • *Draft Zoning and General Plan Amendments* • *Draft Design Guidelines* • *Draft Environmental Impact Report*
Winter 2013	Planning Commission City Council	• *Final Plan* • *Final Zoning and General Plan Amendments* • *Final Design Guidelines* • *Final Environmental Impact Report*

During the summer of 2013, staff and consultants will work on refining the *Draft Plan* and accompanying regulatory proposals. Then in the winter of 2013, the Final EIR, along with recommended changes to the *Draft Plan*, zoning regulations and General Plan amendments, and design guidelines will once again be presented to the Planning Commission for public review and comment before final adoption by City Council of the *Draft Plan*.

RECOMMENDATIONS

Provide comments on the draft zoning regulations and General Plan amendments, and forward these on to the full Planning Commission for additional review.

Prepared by:

CHRISTINA FERRACANE
Planner II

Approved by:

ED MANASSE
Strategic Planning Manager

ATTACHMENTS:
Attachment A – Public Comment
Attachment B – Existing Zoning Map
Attachment C – Draft Land Use Character Map and Descriptions
Attachment D – Draft Design Guidelines
Attachment E – Proposed General Plan Map Amendments
Attachment F – Proposed Zoning Map
Attachment G – Existing and Proposed Height Area Map
Attachment H – Proposed Zoning Code (except for Permitted Activities and Facilities, Parking)
Attachment I – Proposed Permitted Activities and Facilities
Attachment J – Existing and Proposed Parking Regulations

Attachment A - Public Comments

- Comments submitted on 2/25/2013 by J. Haraburda (Metropolitan Chamber of Commerce)

- Comments submitted on 3/1/2013 by J. On (Chinatown Chamber of Commerce)

- Comments submitted on 5/8/2013 by A. Chan (propertyowner)

February 25, 2013

Mr. Fred Blackwell
Assistant City Administrator
City of Oakland | 1 Frank H. Ogawa Plaza,
City Hall
Oakland, CA 94612

OAKLAND
METROPOLITAN CHAMBER OF COMMERCE
Serving the Business Community Since 1905

RE: Inquiry on the Proposed Lake Merritt Area Specific Plan and BART adjacent development

Dear Mr. Blackwell:

The Oakland Metropolitan Chamber of Commerce has reviewed the updates to the Lake Merritt Area Specific Plan and monitored its progress and development. We would like the following questions clarified from the City's perspective. What can you offer with regard to the following queries?

- Does the City of Oakland have any particular concerns in relation to the project? What about the project team?
- It is our understanding that BART was taking the lead on selecting a team to develop the site, is that still the case? Is the development of the site a joint effort with the City and BART? What is currently being done to collaborate with BART?
- What are the City's goals and objectives in relation to utilizing local businesses on the project? How will this be coordinated with BART who owns a portion of the property?
- What can the Chamber do to support the Specific Plan?
- Is the city considering reducing the allowable density in the area of the Lake Merritt BART station from what was originally described in the Specific Plan? If true, isn't that in conflict with the principals of TOD and ABAG's goals to increase density along urban corridors and at transit hubs?
- Will the Specific Plan facilitate a possible joint city / BART project or hinder it?
- Would the city consider modifying and /or relocating Madison Park to make a more viable BART project provided public open space is not reduced?

Thank you for providing us the opportunity to comment on development of the Lake Merritt Area Specific Plan, please continue to notify us of any updates regarding this project. We look forward to participating in a creative solution for this important project for the city.

Sincerely,

Joseph J. Haraburda
President & CEO
Oakland Metropolitan Chamber of Commerce

CC: Kelley Kahn, Director, Economic and Workforce Development
Rachel O'Dwyer Flynn, Planning and Building Director

OAKLAND CHINATOWN CHAMBER OF COMMERCE

March 1, 2013

Dear Ms. Ferracane,

The Oakland Chinatown Chamber of Commerce would like to provide the City with comments on the Lake Merritt Area Plan, as follows:

1. We strongly support the Transit Oriented Development (TOD) for the BART development – This City is in real need for investment as well as a healthy tax base for economic growth and **JOBS** (well-paying JOBS). We feel that a TOD type of development would be a great catalyst to jumpstart economic development in this area.
2. Safety – this issue gets briefly mentioned throughout the document. However, we feel strongly that the concern for public safety has become one of the biggest obstacles for vibrant growth in this area. The concern for safety has driven away much needed business for the Chinatown merchants as witnessed by many of our members, and we urge the City to take aggressive, decisive action to address this core issue that is hampering our economic growth.
3. We believe the issue of "Land Use" as well as the issues of "Height Limits" and "FAR" should be decoupled from the discussion on "Affordable Housing". The Chamber supports the concept of Affordable Housing; however, this particular topic needs to be discussed in a broader context at the regional level to figure out how to meet the needs. We oppose trying to achieve the Affordable Housing goal or any other community benefit goals by imposing special demands for a localized area. We should not price ourselves out of the market relative to our neighboring cities due to competition for limited investment capital (Catalyst vs. Deterrent).
4. Chinatown Chamber agrees that this City's cultural resources provide the unique characteristics for our city. We now have a wonderful cultural scene with art and food. But consistent with our comments above, artists and restaurants need customers who can spend money to keep businesses afloat. Economic vitality is a critical element in sustaining our unique character.
5. We oppose two way traffic conversions and bike paths in the core of Chinatown due to possible traffic congestion and safety issues. Unless the City is planning to actively enforce pedestrian violations, it is not advisable to convert any streets within the Chinatown core to two-way traffic. Two-way traffic introduces more turning movements that get further complicated by the

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OAKLAND CHINATOWN CHAMBER OF COMMERCE

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high volume of pedestrians as well as pedestrians that do not necessarily follow traffic control signals, which may result in further danger to them.

6. While Chinatown Chamber supports community benefits such as improving the streetscapes and lighting, we would like to emphasize a balanced approach with economic development.

Finally, after reading the various elements of the plan, we would like to know if the City has done a comprehensive study on the total aggregate cost to developers if one adds up all the costs associated with any development based on the current proposed plan. (Accessible open space, maintenance of community benefits, historical and cultural preservation effort, affordable housing, etc.) Are we pricing ourselves out of the market for development opportunities which we so desperately need?

We understand the position from the non-profits that are advocating front-loading various special interest based requirements. But here is a simple business model for your reference:

High Cost → No Development

No Development → No Business

No Business → No Jobs

No Jobs → No Tax revenue

No Tax Revenue → No Community Benefits

Chinatown Chamber believes that we need tax revenue, we need jobs, we need businesses, and we need to encourage new developments in this area. Please ensure that these can happen by making the business case attractive to potential developers. We believe that many of the special interest based requirements can be met by inducing growth and development in our city.

Sincerely,

Jennie Ong
Executive Director
Oakland Chinatown Chamber of Commerce

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May 7, 2014

Dear Ms. Ferracane and Planning Commissioners,

As part owner of the property which is comprised of the city block bounded by 13th and 14th Streets and Alice and Jackson St., I would like to thank Ms. Ferracane for taking the time to discuss the Lake Merritt Station Area Plan with me today.

Per my phone conversation with Ms. Ferracane, I am submitting this written communication to express our concerns regarding specific aspects of the Lake Merritt Station Area Plan that would affect our property.

1. The proposed "Festival Street" along Alice Street for one block facing our property

   At present, this 200' long segment of Alice Street has the side wall of the Oakland Hotel which is just a blank tall brick wall on one side and our lot on the other side. It surely does not have the right setting for a "Festival Street". By narrowing the roadway and special paving in that section of roadway and with the high blank brick wall on one side, it would only serve as a magnet for the undesirables to do unlawful acts in the area. The City should consider another location for the "Festival Street" that is more suitable for the purpose should the City chooses to have one.

2. The proposal for Open Space for the public on any new development at the site

   This Open Space requirement would adversely impact the possibility of developing this site or any other site which this requirement would be applicable. In fact, on the City of Oakland website[1] , it already states "Oakland boasts one of the highest percentages of parks and open space per capita in the nation. The waterfront city is resplendent in lush green hills, forests, creeks, an estuary and two shimmering lakes." This site is located within close proximity of Lake Merritt, the Lake Merritt BART Station open space area, as well the open spaces of Laney College. Do we really need to unfairly burden existing property owners such like me with yet more requirements for my property to be dedicated for public Open Space?

   Furthermore, public open space is often perceived as a safety concern for people living in the development since they would not feel as secure when parts of the development are accessible by the public. Given the wide spread perception of crime and safety challenges for the City of Oakland, this requirement of public open space will make it more difficult to market this site for future development. It is like when one buys a home, it would be less desirable to own a home when part of your backyard is accessible to the general public.

From my discussion with Ms. Ferracane, my understanding is that the issue of a festival street might not be implemented at all, and the issue of Open Space would be subjected to a Nexus

[1] http://www2.oaklandnet.com/Government/o/CityAdministration/d/EconomicDevelopment/s/MerchantOrganizations/DOWD008099

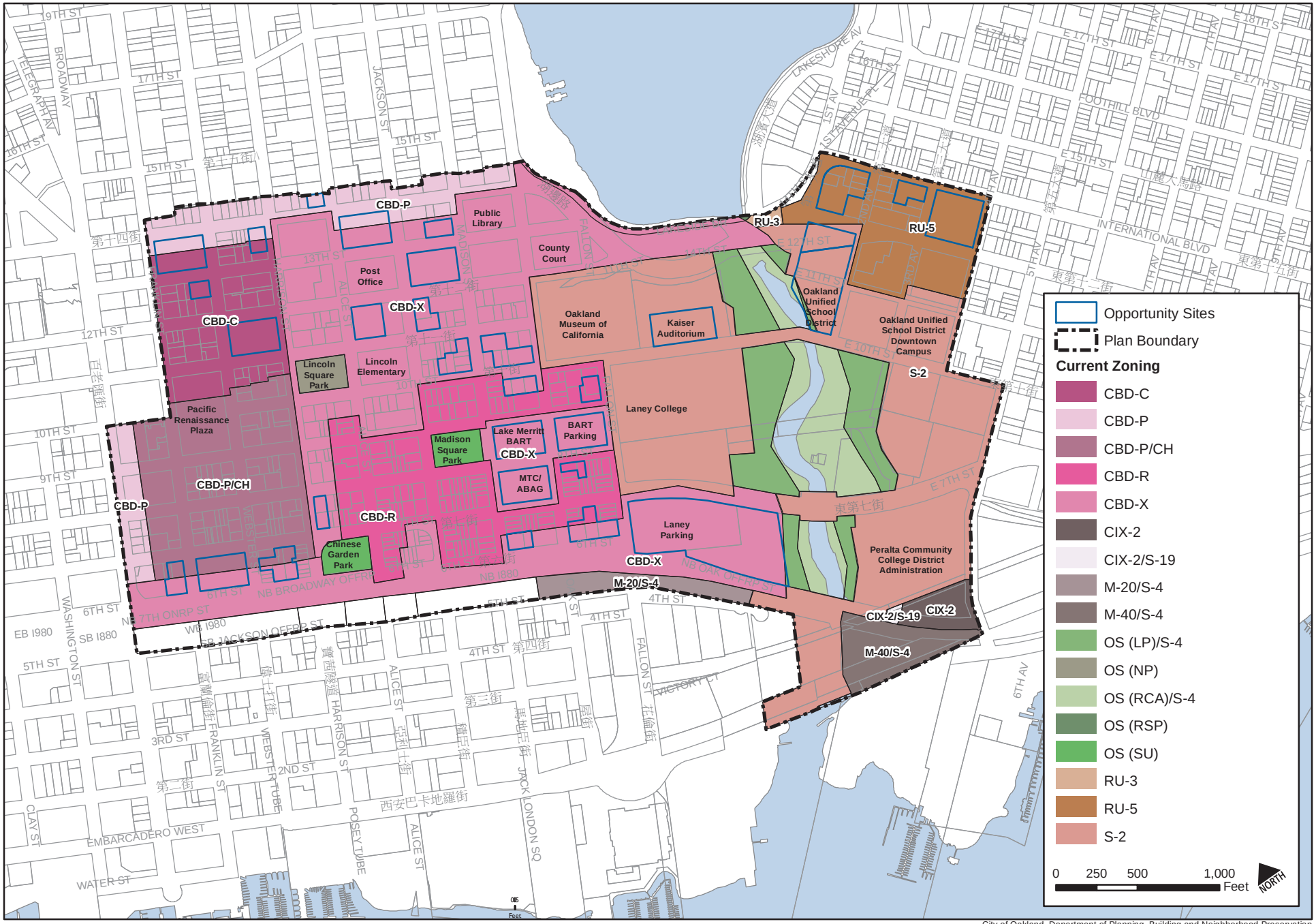
study that the City might do in the future. In that case, it seems appropriate to remove these two items in this study so as to not give any misleading information to any potential investor/developer of my property.

I am a real estate developer who has lived in Oakland for over 40 years and have developed subdivisions in Oakland Hills as well as in Oakland Chinatown. I love living in Oakland for its climate and convenient location and had high expectations to see Oakland flourish like our adjacent cities of Emeryville and San Francisco. However, for the past 40 years, it is clear that Oakland is lagging way behind in our development progress and competitiveness with the other cities. I urge the City to adopt initiatives that would allow us to attract more development so that the income generated from such development would enrich the City coffers in order to allow more community projects that would benefit all the citizens of Oakland. Putting extraneous requirements which further burdens the owner or the developer is not conducive to attracting investments that can help make Oakland more vibrant.

Thank you for your attention to this matter.

Sincerely yours,

Afonso A. Chan



City of Oakland, Department of Planning, Building and Neighborhood Preservation
November 2012

LAKE MERRITT BART STATION AREA PLAN

Current Zoning Districts

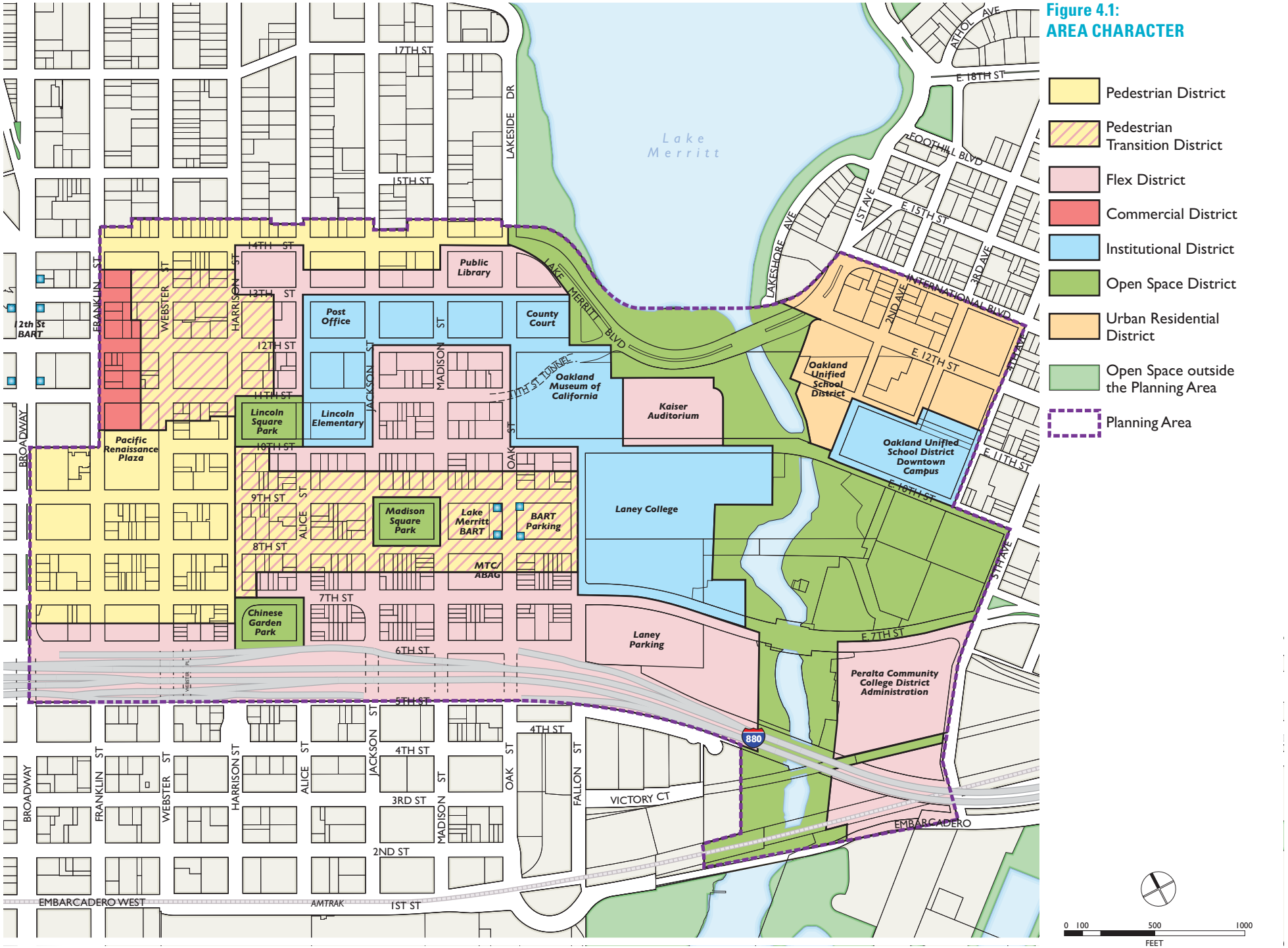


Figure 4.1:
AREA CHARACTER
Pedestrian District
Pedestrian Transition District
Flex District
Commercial District
Institutional District
Open Space District
Urban Residential District
Open Space outside the Planning Area
Planning Area
Lake Merritt
Public Library
Post Office
County Court
Oakland Museum of California
Kaiser Auditorium
Oakland Unified School District
Oakland Unified School District Downtown Campus
Lincoln Square Park
Lincoln Elementary
Pacific Renaissance Plaza
Madison Square Park
Lake Merritt BART
BART Parking
MTC/ ABAG
Chinese Garden Park
Laney College
Laney Parking
Peralta Community College District Administration
12th St BART
17TH ST
15TH ST
14TH ST
13TH ST
12TH ST
11TH ST
10TH ST
9TH ST
8TH ST
7TH ST
6TH ST
5TH ST
4TH ST
3RD ST
2ND ST
1ST ST
LAKESIDE DR
LAKE MERRITT BLVD
LAKESHORE AVE
ATHOL AVE
E. 18TH ST
FOOTHILL BLVD
1ST AVE
E. 15TH ST
3RD AVE
INTERNATIONAL BLVD
2ND AVE
E. 12TH ST
5TH AVE
E. 11TH ST
E. 10TH ST
E. 7TH ST
11TH ST TUNNEL
BROADWAY
FRANKLIN ST
WEBSTER ST
HARRISON ST
JACKSON ST
MADISON ST
ALICE ST
OAK ST
FALLON ST
VICTORY CT
EMBARCADERO
EMBARCADERO WEST
AMTRAK
880
0 100 500 1000
FEET

4.1 Land Use Character

The Plan promotes a diversity of uses within the Planning Area that complement each other and ensure an active urban neighborhood at all hours. The land use character map (Figure 4.1) shows nuanced character differences within the mixed-use context of the Planning Area. A range of flexible mixed use areas are described that seek to promote economic development and encourage vibrant pedestrian-oriented corridors. These districts consist of high-density housing, office and retail uses, institutional uses, and new public spaces.

Desired land use character will ultimately be achieved through a range of mechanisms, such as land use regulations (e.g. permitted activities), development standards (e.g. building height limits), and design guidelines, as well as street improvements, which are funded through a variety of sources, and which are described in detail in Chapter 6.

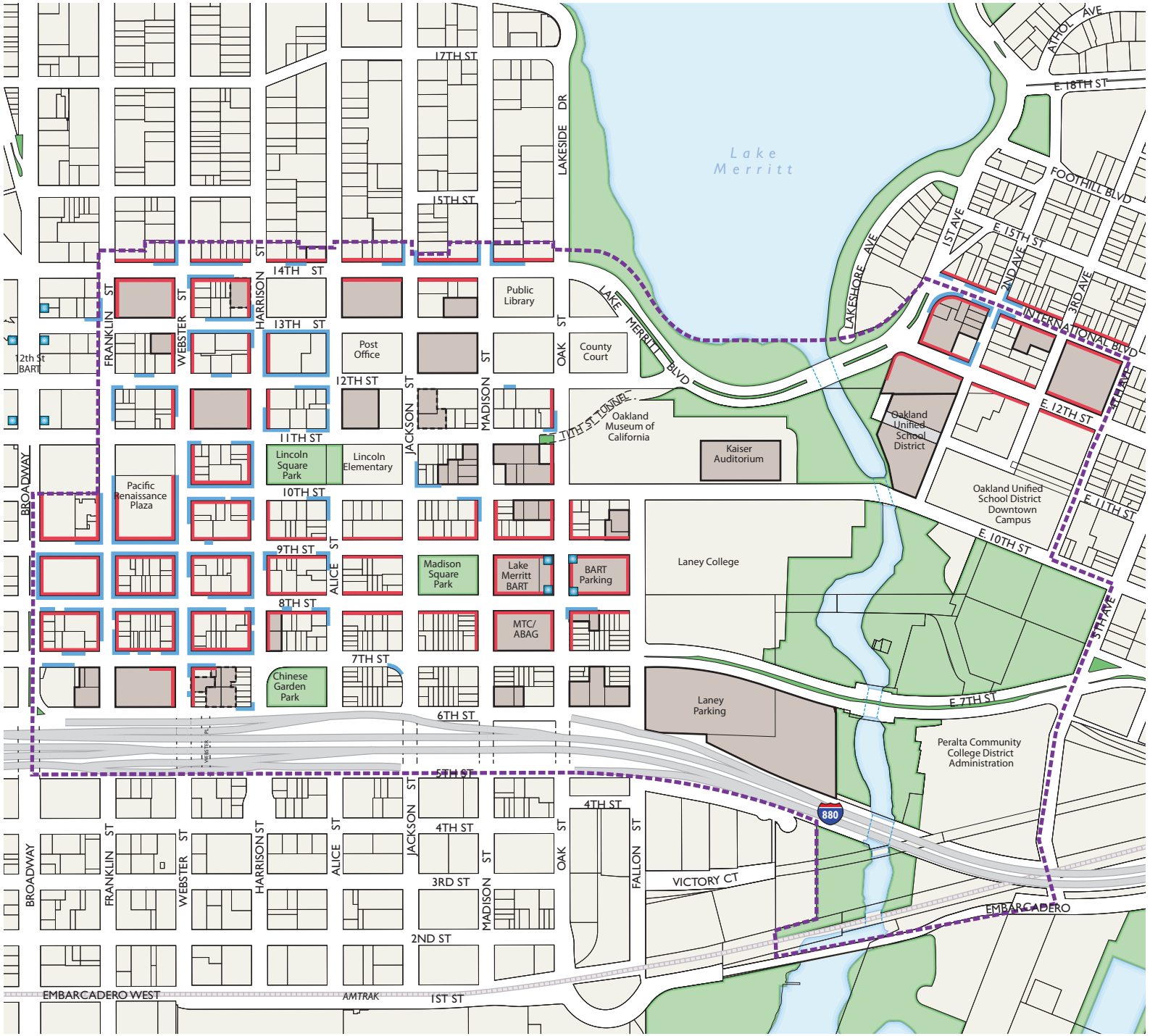
Land use character districts in the Planning Area include the following.

- **Pedestrian District.** An area of mixed-use, pedestrian-oriented continuous storefront uses with a mix of retail, restaurants, businesses, cultural uses, and social services at the ground floor. Upper story spaces are intended to be available for a wide range of residential and commercial activities.
- **Pedestrian Transition District.** An area that is currently mostly housing or commercial uses, but allows for the gradual transition to a Pedestrian Area by promoting ground floor storefronts and other active uses in new buildings.
- **Flex District.** An area allowing the maximum flexibility in uses, and permitting a variety of commercial, residential and light industrial uses.
- **Commercial District.** An area allowing a wide range of ground floor office and other commercial activities, with primarily office uses on upper floors, though high density housing is permitted.
- **Institutional District.** An area appropriate for educational facilities, cultural uses, health services, government agencies, and other uses of a similar character, such as Laney College, Peralta College District, Alameda County, Oakland Museum, and Kaiser Auditorium.
- **Open Space District.** An area intended to meet the active and passive recreational needs of Oakland residents. This Open Space designation allows uses and facilities that enhance these local and regional assets, such as Lake Merritt and various local parks.
- **Urban Residential District.** An area appropriate for multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services. This residentially focused area also allows a variety of ground floor uses that are compatible with a residential area.

Land Use

Land use character interacts with the streetscape and public realm to establish a sense of place and neighborhood character. Further, land uses must accommodate future jobs and housing, and provide sufficient amenities and benefits for a sustainable and livable community. This section outlines the land use strategy for the Planning Area, provides the height and massing concept, outlines strategies for developer incentives and affordable housing, and summarizes the development potential of the Plan.

Figure 4.3:
ACTIVE GROUND FLOOR USES



DESIGN GUIDELINES FOR THE LAKE MERRITT STATION AREA PLAN

LIST OF FIGURES

1 Introduction

Intent

The Design Guidelines for the Lake Merritt Station Area Plan complement the existing zoning regulations, citywide design guidelines, and the design review procedures of the Oakland Planning Code. The Lake Merritt Design Guidelines provide certainty and predictability in the design review process through establishment of uniform decision-making criteria for all projects in the Lake Merritt Station Planning Area. These Design Guidelines, in combination with any other applicable citywide guidelines, serve as the basis for design review approval findings by City staff, and when necessary, the City Planning Commission and the City Council. It is intended to be specific enough to guide development, but also to be flexible and qualitative enough to encourage creative design solutions.

The Design Guidelines in this document, in combination with other guidelines, land use designations, and circulation improvements outlined in the Lake Merritt Station Area Plan, will together shape the future of the Planning Area and aim to meet the vision and goals of the Lake Merritt Station Area Plan.

Applicability

Chapter 17.136 of the Planning Code determines the type of design review required for different projects. These Lake Merritt guidelines supplement the design review criteria contained in that Chapter and any other required criteria.

In general, all applicable guidelines should be met to approve a proposal. However, this document is not intended to restrict innovation, imagination and variety in design. A method that achieves associated principals to the same extent as a guideline may be considered in lieu of that guideline.

Related Design Guidelines

Other design guidelines that projects in the Planning Area should consider:

- For small projects limited to minor changes to existing commercial, civic, or industrial facilities, and the nonresidential portions of mixed use development projects, see the City of Oakland Small Project Design Guidelines.
- All projects should review the surveys included in the City of Oakland's Crime Prevention through Environmental Design (CPTED) Security Handbook. Several guidelines reflect the concepts of CPTED, but all projects should review the full survey to ensure design incorporates elements that promote public safety.
- For Residential Facilities with one or two primary dwelling units, or the residential portions of Mixed Use Development projects with one or two primary dwelling units, please see the City of Oakland Small Project Design Review Checklist Criteria for facilities with 1-2 Primary Dwelling Units, and the City of Oakland Interim Design Review Manual for One-and Two-Unit Residences.
- Note that additional guidelines that are adopted may also apply to projects in the Planning Area.

Design Guidelines

The quality and character of the public realm is a critical component of how a place is used and experienced. In the Planning Area, the public realm is shaped by buildings, streetscape, open spaces, and the spaces in between, all of which contribute to the Planning Area's identity. This chapter provides guidance for new building development and enhancing the public realm to further reinforce and shape the identity of the Planning Area.

2 Existing Building Character

Block Sizes and Parcels

The majority of roadways in the Planning Area are designed in a typical grid system with blocks that measure 1.6 acres in size. The major exception to this pattern is in the Peralta/Laney College Plan District and where institutional uses exist along 10th Street between Oak Street and 4th Avenue, where the block sizes are much larger.

Predominant

Blocks are generally 220 feet on the north-south face and 320 feet on the east-west face. Buildings line the sidewalk edge. Parking is generally at the interior of the block or in parking structures, though there are a few surface parking lots. The grid system was laid out in the early 1850s, and blocks have been preserved. Parcel sizes are relatively small in Chinatown, along 14th Street, and in the Eastlake Gateway. This small lot size creates a pedestrian-scale feeling and adds variety to the street.

Larger Parcels

Parcels are larger for some government buildings and public facilities, including: the post office, the public library, the County offices, the County court, and schools. One of the very few street closures that merged the blocks was on 10th Street between Webster and Broadway, where several large buildings were built, including the Pacific Renaissance Plaza, the Oakland Marriot Hotel, and the Trans Pacific Centre. Another example is on Alice Street (between 10th and 11th Streets) that connect Lincoln Recreation Center with Lincoln Elementary. In this example clear pedestrian and bicycle through access was preserved.

Mega-Block

The Peralta/Laney College Plan District is largely made up of megablocks that break up the street pattern, in part because they line the Lake Merritt Channel, but also because they are built across what would be several city blocks. Buildings in this area are set back from the street and often do not face the street. The mega-blocks include:

- Laney College. The main campus, which includes the 14 buildings, is roughly 740 feet by 720 feet, about 12 acres, plus about three acres of recreational space including tennis courts and an art building. Most of the buildings are one to two stories, with the exception of the administration building, which is eight stories high.
- Laney Parking. The Laney parking lot is about five and one quarter acres, and is currently used as parking for Laney students, staff, and faculty. The site covers the area between Fallon Street, 7th Street, the Channel and the I-880 freeway.
- Laney College Sports Fields. The Fields cover 8.7 acres, and are used primarily by Laney College students and athletes.

Ground floor conditions vary throughout the Planning Area.

Existing eight story building (top) and twelve story building (bottom). Some of the tallest buildings in the Planning Area are near Broadway, the core of Downtown.

- Peralta Community College District Administration. The district administration site is nearly seven acres. The administration building is one story and set back from the street. The site covers the area between 5th Avenue, 7th Street, the Channel and the I-880 freeway.
- Oakland Museum of California. The Oakland Museum covers about six acres. The building is one to two stories and much of the ground floor of the museum is slightly below grade.
- Kaiser Convention Center. The Kaiser Convention Center and parking lot, located adjacent to the Oakland Museum of California, covers about four acres. The building measures approximately four hundred feet long by two hundred feet across and contains approximately 228,000 square feet of floor area on four levels, including a basement.
- Oakland Unified School District Downtown Educational Complex (DEC). The 123,000 square foot complex is located on 5.6 acres, closing 3rd Avenue between East 10th Street and East 11th Street, and East 11th Street between 3rd Avenue and 4th Avenue.

Historic Resources

Several historic districts and properties exist throughout the Planning Area, adding a special character and direct connection with the evolution of the community and the urban setting. Careful design and planning of new transit-oriented development is necessary to be compatible with these historic resources. There are also opportunities for design solutions that marry transit-oriented development with the preservation or reuse of multiple historic resources in the Planning Area, since opportunity sites identified in the Lake Merritt Station Area Plan may be adjacent to historic resources.

Building Setbacks and Development Standards

Most of the buildings in the Planning Area are built at or close to the sidewalk edge. In the Chinatown Commercial area, businesses activate the street edge and create a dynamic pedestrian experience. However many other areas lack this vibrancy, particularly in the mega-block areas where buildings do not relate to the street. In some residential areas of Chinatown, many houses are set back from the sidewalk about five to ten feet to create a transition between public and private space. This setback area is usually paved, though some houses have landscaped setbacks.

Ground Floor Conditions

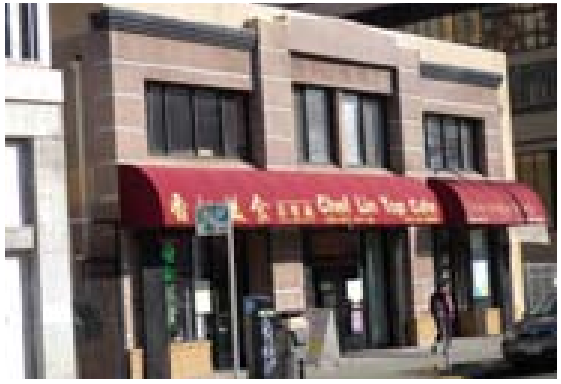
Ground floor conditions vary throughout the Planning Area, impacting the way that buildings relate to the street in different areas. In the Chinatown Commercial center, ground floor building heights are generally around 10 to 12 feet. The ground floor generally comprise smaller pedestrian-scaled storefronts, with large windows on the street façade. Markets are largely open to the street with open doors and windows, and sometimes entire storefronts are open and visible to the inside. Building materials vary from wood and stucco to concrete and brick.

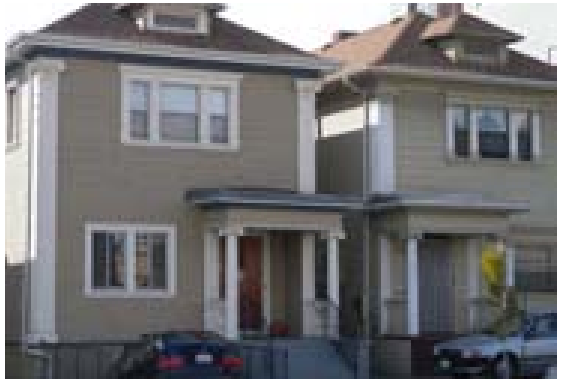
These smaller scaled storefronts are reflective of the type of businesses that exist in the Chinatown Commercial center that create a pedestrian-friendly environment. Smaller storefronts provide space for neighborhood-serving retail while also providing high levels of pedestrian interest and activity.

This is in contrast to the character of building façades of large institutional buildings, such as the Oakland Museum of California, the Kaiser Convention Center, and the ABAG/ MTC building. These buildings have very few openings to the street and few to no windows on the street at pedestrian level, creating a wall to the sidewalk. These buildings generally have concrete or brick façades. However, landscaping surrounding these institutional buildings positively affects their character and relationship to the street.

Building Design Character

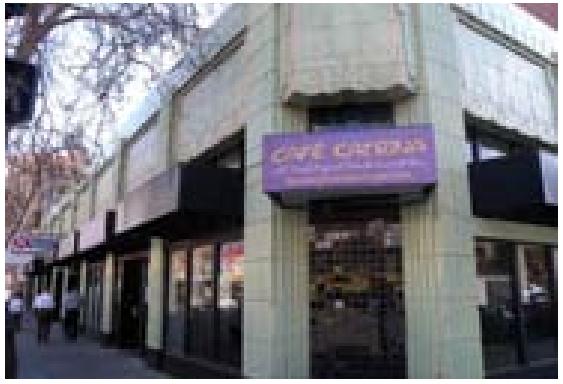
Building design varies throughout the Planning Area, both in terms of scale and in building architecture. Building heights range from one and two stories, to up to 24 stories. Architectural styles are also varied, including Asian historic design, Queen Anne or other Victorian historic residential design, modern design, and large-scale institutional design. The varied architecture of the existing area reflects the diverse range of uses in the Planning Area. When complemented with consistency in public realm features and pedestrian amenities, diverse architectural design adds visual interest and helps establish neighborhood character. The following photos illustrate the range of building design character.





Existing four-story office building (top) and two story commercial (middle) and residential buildings (bottom).

Existing historic residential buildings include Victorian (top), Federal (middle), and Neo-Renaissance (bottom) styles. Note that some houses have paved setbacks, while others include landscaping (top).



Commercial and institutional design includes Neo-Classical and WPA Moderne influences (top), Art Deco (middle), and historic commercial spaces renovated for live/work (bottom).

New modern residential buildings (top and middle) and institutional buildings (bottom) have added more design diversity to the Planning Area.

3 Building Design Guidelines

Site Planning and Building Orientation

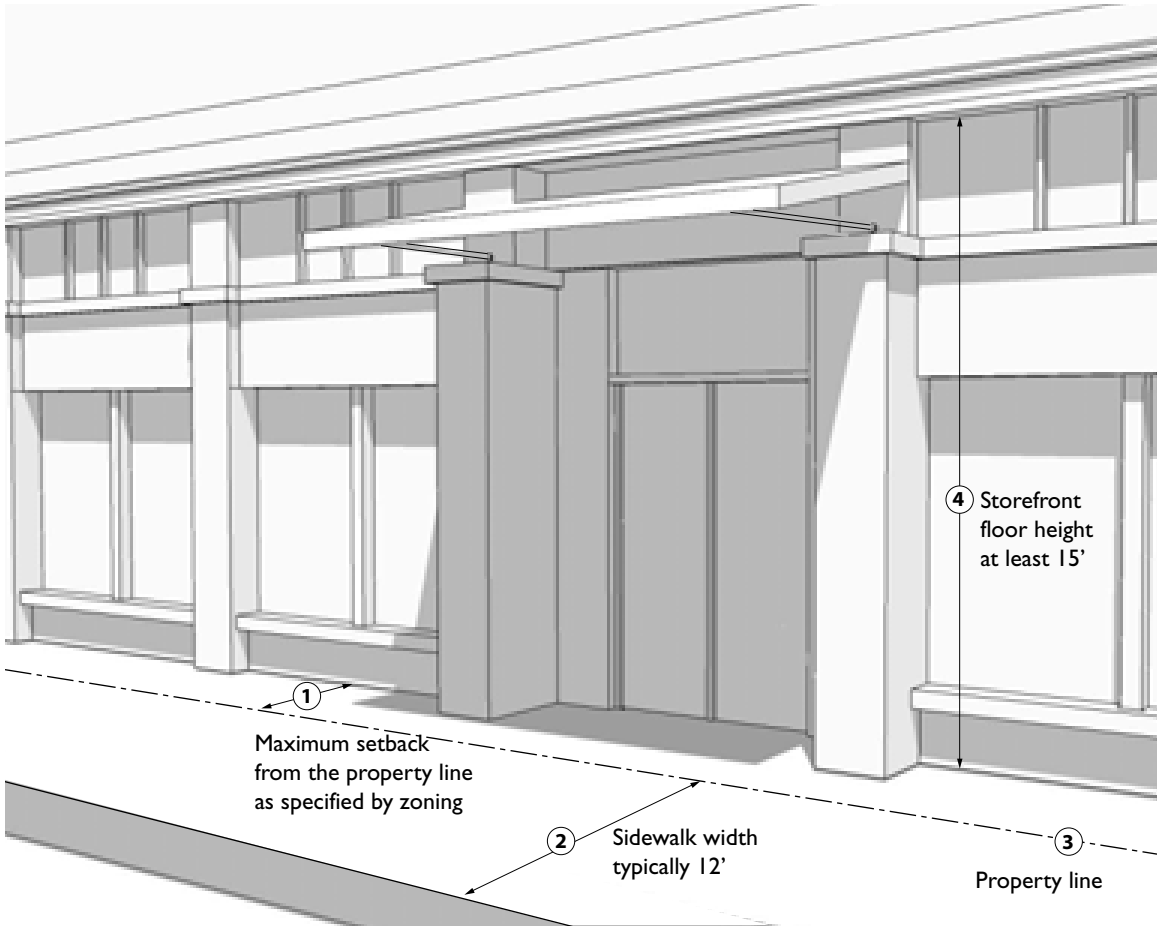
Site planning and building orientation have a significant impact on the urban environment, and can help shape a vibrant and pedestrian oriented neighborhood.

DG-1 **Public Perception.** Consider the three-dimensionality of buildings: how they are perceived from the ground level, public streets, and public open spaces; and how they can contribute to or diminish neighborhood or district character, views, and/or overall quality of life.

DG-2 **Streetfront Location.** Spatially define the streetfront by locating storefronts near the property lines facing the street and adjacent to one another. Build the ground level of commercial buildings near sidewalks and close to side property lines, as shown in Figure 1. A consistent series of commercial buildings constructed at the sidewalk and adjacent to one another creates a street wall and a defined pedestrian space. Each zoning district has a maximum setback limit to create or maintain this storefront pattern.

DG-3 **Building Location.** Locate buildings to enhance public/private interface and improve pedestrian comfort and safety. Where applicable — such as where setbacks would not detract from continuous retail frontage — locate mixed-use, commercial and/or multifamily residential buildings back from the property line in order to enhance the pedestrian experience and enlarge the sidewalk through provision of public parks, plazas, courtyards or outdoor dining. Other appropriate variations include inset bays for entrances and special corner features.

Figure 1: BUILDING LOCATION



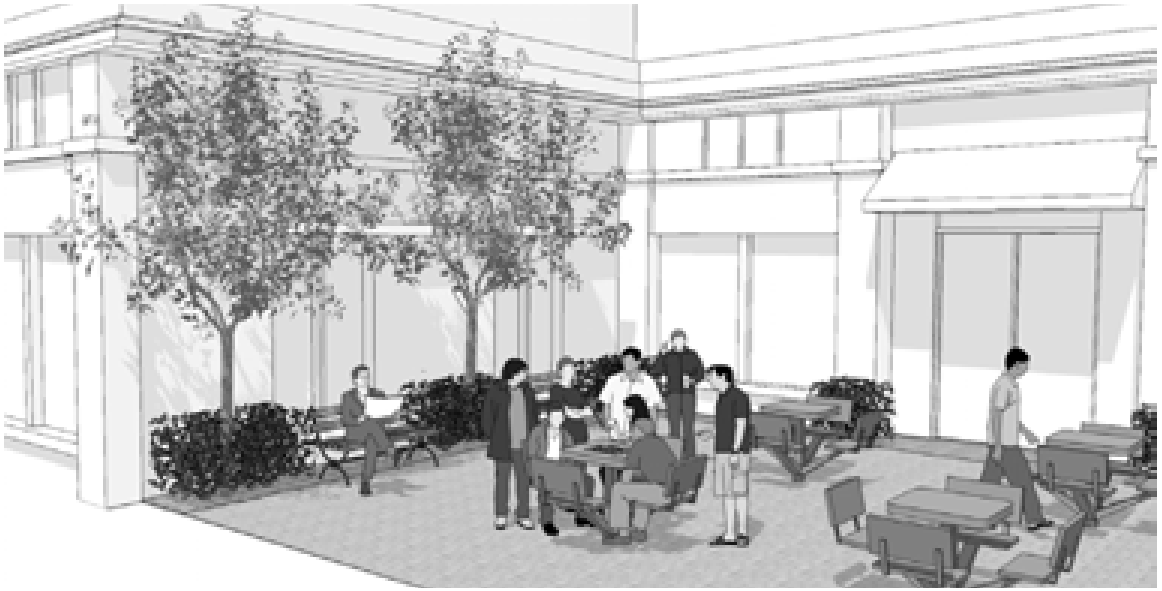
Build the ground level of commercial buildings near sidewalks and close to side property lines. A consistent series of commercial buildings constructed at the sidewalk and adjacent to one another creates a street wall and a defined pedestrian space (DG-2).

DG-4 **Front Setbacks.** Front setbacks should maintain the existing pattern of setbacks, except where a pattern change is desired, such as where land uses shift from residential to commercial uses, or similar.

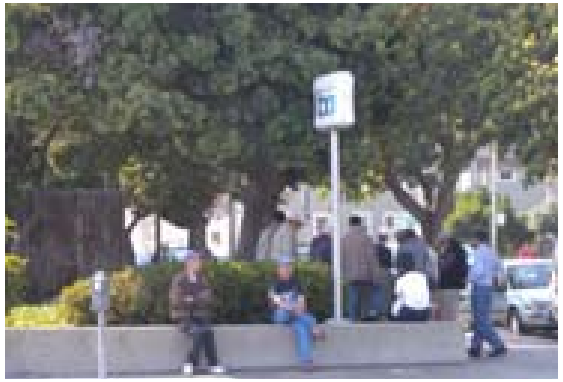
DG-5 **Define Open Spaces.** Site buildings and locate plazas, courtyards, seating, and visually interesting architectural features to encourage interaction among occupants and passersby. Configure buildings to define open spaces and provide visibility and accessibility from a public street, as shown in Figure 2. Special building forms (i.e. towers) and site improvements should be incorporated to help organize and accent spaces by framing entrances, terminating views, and highlighting central focal points.

DG-6 **Avoid Colonnades.** Avoid placing colonnades on the ground floor of storefront commercial façades. Colonnades, or a row of columns supporting a roof with

Figure 2: DEFINE OPEN SPACES



Site buildings and locate plazas, courtyards, seating, and architectural features to encourage interaction among occupants and passersby. Configure buildings to define open spaces and provide visibility and accessibility from a public street (DG-5).



Existing public open space in the Planning Area is well used.

Configure buildings to define open spaces and provide visibility and accessibility (DG-5).

Improvements should be incorporated to help organize and accent spaces (DG-5) such as in this open plaza adjacent to a market and restaurant.

a storefront façade that is set back, are not recommended because they tend to reduce the visibility of retail space, detract from the definition of the street, deaden the streetscape, and provide a dark place for criminal activity, particularly at night.

DG-7 **Corner Building Design.** Emphasize and highlight architectural features at block corners to visually define and animate the intersection and facilitate pedestrian flow. Consider the following:

- Changes in height, massing, or materials, or by introducing public plazas, open eating areas, public art, and grand entries.
- Landmark features such as rounded or cut corners, increased transparency, chimneys, corner towers, roof features, and/or special shop windows or entries, or base designs.
- Design features should be well proportioned in relation to the average height of the building, other buildings at the intersection and the span of the intersection.
- If buildings do not come directly up to street corners, buildings must form a comfortable and interesting space for the public to use.

DG-8 **Primary Lot Frontage.** Locate the primary building façade and main entrance along the primary lot frontage. The primary frontage should further be maximized by active building walls and addressed by the most active, articulated and public façade of a building. Active uses, such as storefronts, dining areas, lobbies, and offices should front onto the primary lot frontage. Primary and secondary frontages are defined as follows:

- Primary lot frontages address public spaces that will likely see the most pedestrian activity or serve as important gateways. The primary lot frontage is the most public frontage that is adjacent to the waterfront, public open spaces, and streets and sidewalks.
- Secondary lot frontages include those that front onto pedestrian passthroughs and secondary streets on corner lot conditions. Secondary frontages are less public spaces that see less activity than primary frontages.
- Corner lots or sites that encompass a block may have more than one primary frontage. Where primary and secondary frontages are unclear, applicants should work closely with the City to make a determination.

DG-9 **Location of Outdoor Seating.** Locate outdoor seating with widened sidewalks to create pedestrian activity while ensuring pedestrian access.

DG-10 **Energy Efficient Building Orientation.** Site and orient buildings to take advantage of passive heating and cooling methods. Roofs should be oriented and designed to allow for solar panel or film installation for renewable energy generation or centralized solar hot water heating.

DG-11 **Crime Prevention through Environmental Design.** All projects should review the surveys included in the City of Oakland's Crime Prevention through Environmental Design (CPTED) Security Handbook. Consistent with CPTED guidance, design buildings and public spaces such that they are defensible, meaning places are clearly identified and delineated, designed to prevent access of unauthorized persons, and provide good visibility. This can be accomplished through four overlapping strategies:

- *Natural Surveillance.* Natural Surveillance is the placement of physical features, activities, and people in ways that maximize the ability to see what is occurring in a given space. This strategy works because this exposure promotes good behavior.
- *Territorial Reinforcement.* Territorial Reinforcement is the use of buildings, fences, signs, pavement, or other objects to express ownership or to clearly delineate the transition from public space to private space. This strategy works because it suggests there is someone present who has responsibility for the space.
- *Access Control.* Access Control is the physical guidance of people coming and going from a space by the placement of entrances, exits, fencing, landscaping, locks, and other barriers. For example, walkway bollards may be placed near the entrance of a park to prevent vehicle entry but allow pedestrian entry. This strategy works because it creates a barrier against improper vehicle movement into the park.
- *Maintenance.* The upkeep of an area demonstrates that someone cares and is watching.

DG-12 **Screening of Building Equipment.** Mechanical, electrical, and all other building equipment should be concealed from all public right-of-ways, pedestrian paths and adjacent buildings. Mechanical equipment should not be located along the ground floor street frontage.

DG-13 **Screening of Refuse.** Screen refuse bins and other waste containers by placing them indoors, locating them away from the street, and/or shielding with fencing and/or landscaping.

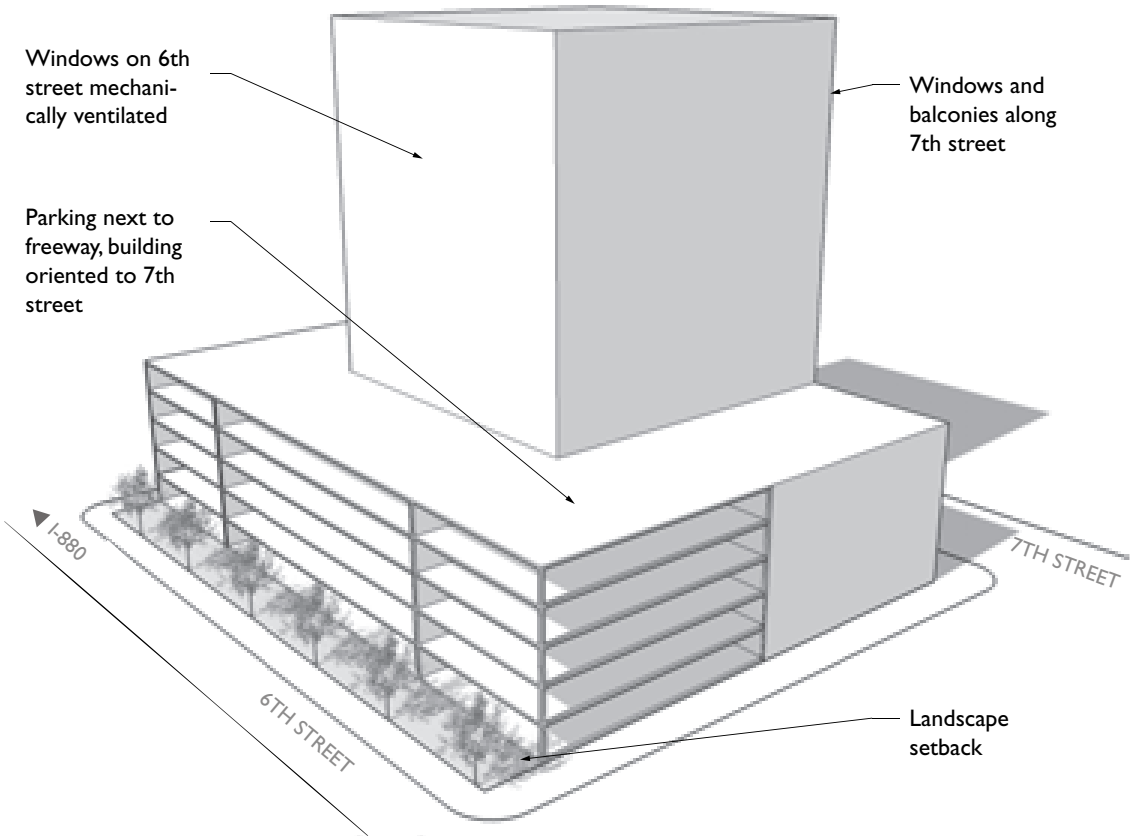
DG-14 **Sites Adjacent to the I-880 Freeway.** On sites located between 6th and 7th Streets, through careful site planning and building design, minimize noise, air quality, and visual impacts of the freeway on the building, especially on any housing units. Site planning should consider the following, as shown in Figure 3:

- Locate taller buildings to buffer the existing neighborhood from the I-880 Freeway.
- Set buildings back from the freeway and buffer with landscaping, open space, and/or off-street parking.
- Locate residential units generally above the street level.
- Orient units along 7th Street with primary operable windows and balconies in residential units along 7th Street (rather than 6th Street), such that they face away from the freeway. Windows facing 6th Street, which may offer views of the San Francisco Bay, should be mechanically ventilated.

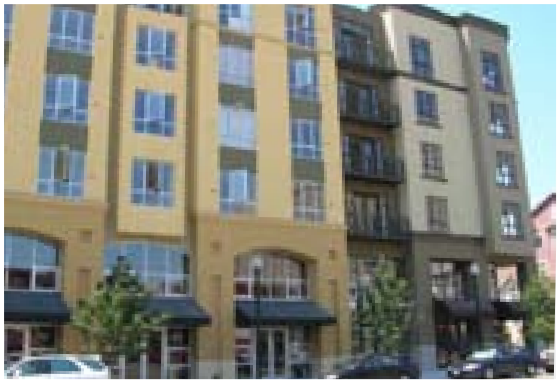
- Ensure sufficient noise attenuation, consistent with City of Oakland standards.
- Locate courtyards, balconies and opening windows away from the freeway.
- Consider installation of sound walls or additional landscaping.
- Ensure indoor air quality, as outlined in DG-15.

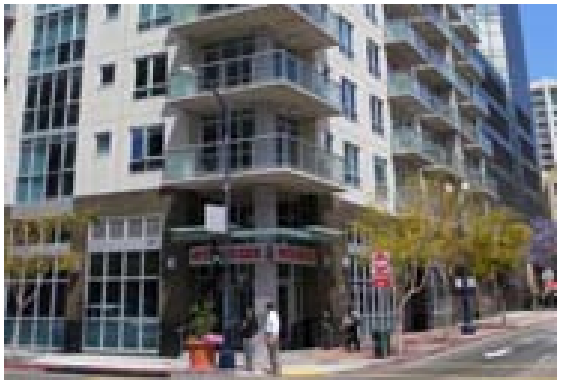
DG-15 Indoor Air Quality. Require indoor air quality equipment, such as high-efficiency particulate air filters (HEPA filters), mechanical ventilation, air intakes away from pollution sources, building interiors under positive pressure, or equivalent mechanisms to minimize health risks for future residents, on sites with increased health risks due to proximity to high traffic roadways or stationary sources of toxic air contaminants.

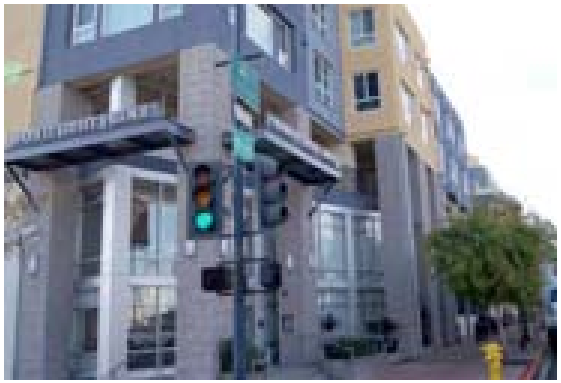
Figure 3: SITES ADJACENT TO THE I-880 FREEWAY



Sites adjacent to the I-880 Freeway require careful site planning and building design, minimize noise, air quality, and visual impacts of the freeway on the building, especially on any housing units (DG-14).







Reduce the apparent bulk of a building by segmenting it into smaller masses that correspond to the internal function of the building (DG-16).

Employ variations in façades and incorporate design features, such as recesses, and windows (DG-16).

Building Massing and Scale

Building massing and scale have a great impact on neighborhood compatibility. Guidelines seek to ensure integration of new buildings into the existing character of the area, while allowing for more intense development and taller buildings. New buildings and additions should reinforce the historic pattern with setbacks and upper-level stepbacks oriented to the many existing low- to mid-rise buildings.

Massing and Scale

DG-16 **Three-dimensional Articulation.** Articulate building mass and surfaces with three-dimensional elements that create a visual play of light and shadow:

- Incorporate design features, such as balconies, recesses, windows, window frames, reveals, brackets, bay windows, cornices at the roof and at the top of the ground floor, and piers at corners and structural bays.
- Employ variations in façades (such as shallow recesses at entries, arcades, roof styles, colonnades, architectural details), and finishes that break up the appearance of large buildings.
- Reduce the apparent building bulk by segmenting it into smaller masses corresponding to the internal function of the building. Consider grouping windows and/or adding loggias. Repetitive elements or monolithic treatments should be avoided.

DG-17 **Reinforce the Existing Rhythm.** Design buildings so the location, massing, and scale of new buildings reinforces the existing rhythm of buildings, storefronts,

and the spaces between them. Since there is much variety within the Planning Area, this will vary by area, but the predominant pattern is of 25 to 50 foot parcel frontages. Where new building frontages are longer, they should break up façades into separate bays that reflect the general rhythm of existing building widths.

DG-18 **Transitions in Building Height.** Where the height of new development exceeds the height of existing adjacent buildings, smooth transitions can be achieved through various approaches depending on the specific location and context of development, including:

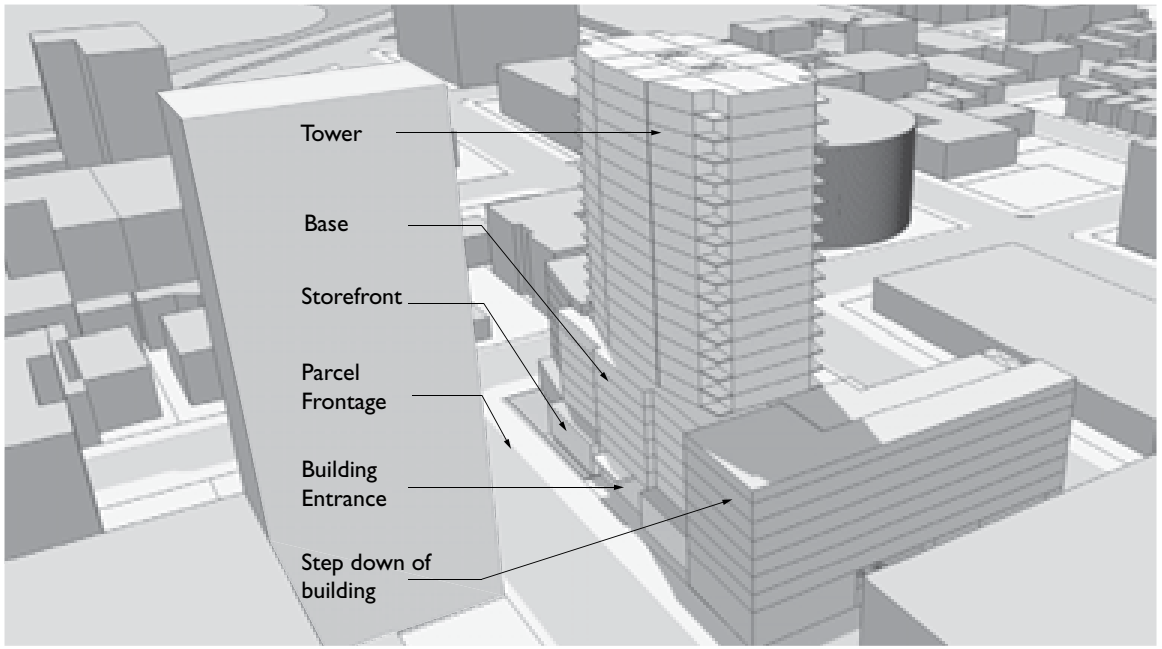
- Dividing high-rise massing to reduce overall bulk and/or step down towards lower adjacent structures, as shown in Figure 4.
- Incorporating architectural elements, such as cornices, to add horizontal consistency to the street wall.

DG-19 **Step Back Above the Podium Height.** Step buildings back above the base height, as shown in Figure 5. Base heights vary throughout the Planning Area, relative to the surrounding neighborhood context.

DG-20 **Reduce Overall Massing.** Encourage open spaces and walkways to break up building mass and create visual breaks.

DG-21 **Minimize Shadow.** Give consideration to the potential shade impacts on surroundings and design buildings such that heights, massing, and site plans respond to potential shading issues. Locate towers to minimize shadow on public spaces and ensure access to sunlight at high-use times of day.

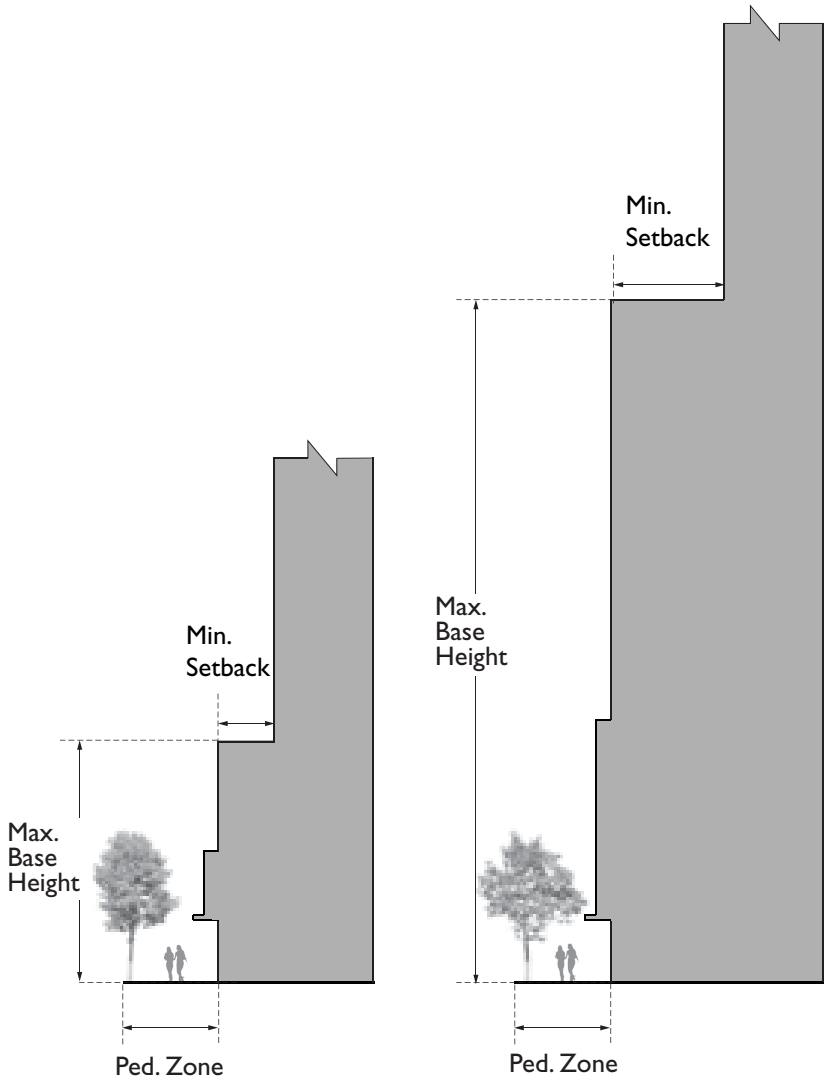
Figure 4: TRANSITIONS IN BUILDING HEIGHT



Where the height of new development exceeds the height of existing adjacent buildings, smooth transitions can be achieved by dividing high-rise massing to reduce overall bulk and/or step down towards lower adjacent structures (DG-18).

Reduce mass, step down, and incorporate architectural elements that establish a consistent rhythm to the street in order to transition to existing adjacent buildings (DG-18).

Figure 5: STEP BACK ABOVE THE PODIUM HEIGHT



Step buildings back above the base height. Base heights vary throughout the Planning Area, relative to the surrounding neighborhood context. Larger setbacks may be more appropriate above the base for buildings with taller base heights (DG-19).

Towers

These concepts aim to limit the impact of towers and ensure towers are well integrated into the existing neighborhood context.

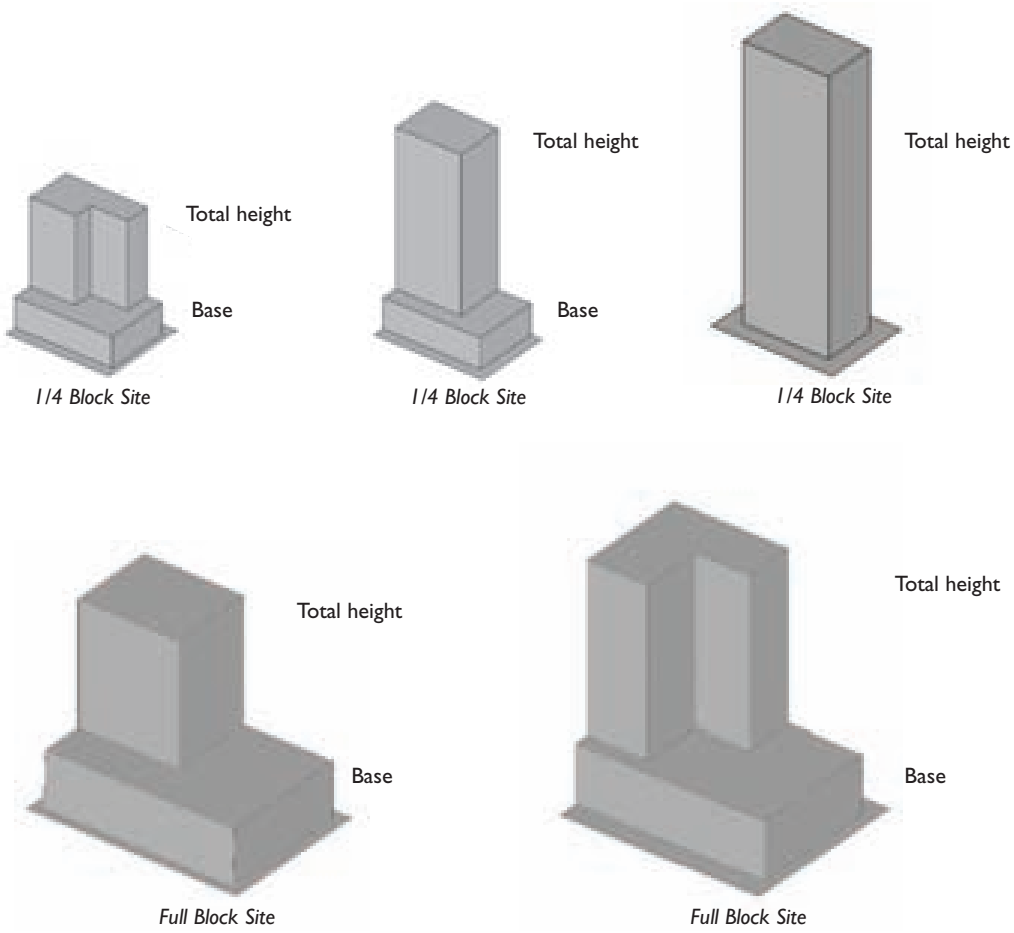
DG-22 **Slender Towers.** Towers should be slender in order to minimize the casting of large shadows and reducing apparent bulk from the street level. Towers should taper, step back, or otherwise employ a reduction in massing above the allowable base height, as shown in Figure 6.

DG-23 **Tower Spacing.** Towers should be spaced to allow sunlight, air, and privacy for tenants while maintaining views and natural light at the street level.

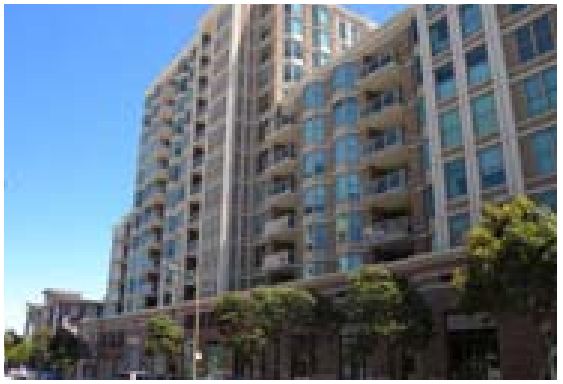
DG-24 **Distinguish Tower Design.** The tower should be stepped back from the building base and the top of the tower should be further distinguished with a step back and/or architectural features.

DG-25 **Skyline.** Towers should be designed to enhance the City skyline without blocking significant views from other buildings. In particular, consider views from across Lake Merritt and from the San Francisco Bay.

Figure 6: TOWERS



Towers should be slender in order to minimize the casting of large shadows and reducing apparent bulk from the street level. Towers should taper, step back, or otherwise employ a reduction in massing above the allowable base height (DG-22).



Tower design should consider the impact to the pedestrian experience. Towers should be spaced for sunlight, should be slender and step back from the base to reduce apparent bulk from street level, should incorporate interesting architectural features, and should consider the Oakland skyline (DG-22 through DG-25).

Building Façade Articulation

These concepts aim to ensure a high-quality pedestrian realm and vibrant and active streets, and to foster the mix of traditional and contemporary design in the Planning Area.

DG-26 **Pedestrian Scale.** Provide pedestrian-scaled façade articulation to create an active and inviting public realm, create visual interest and diversity, and reinforce the pedestrian scale and character of the street, as shown in Figure 7. In particular, the first two to three stories of new development should relate to existing patterns, including fine grain scale, multiple entries, and flexible scales. Articulation may include bays, horizontal banding, sills, fenestration, alcoves, awnings/canopies, trellises, well defined entries, storefront design, and other pedestrian amenities.

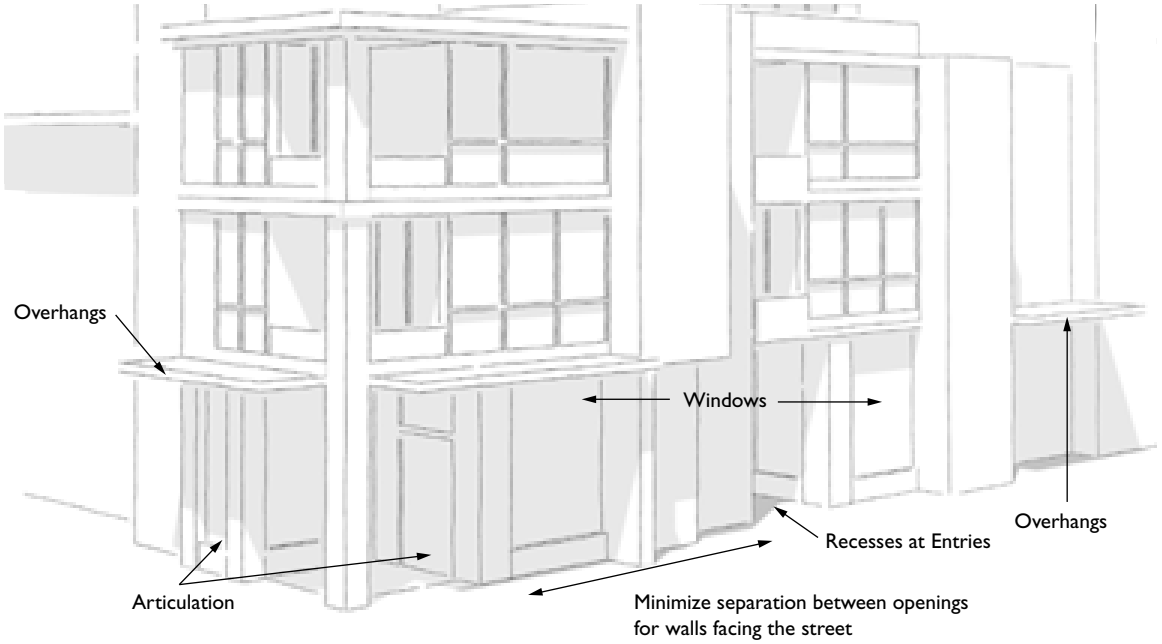
DG-27 **Active Upper-Stories.** Activate upper-story step-back areas with open spaces or roof gardens.

DG-28 **Articulation.** Incorporate architectural articulation along the length of the façade, and recesses at building entrances, plazas, private open space, etc.

DG-29 **Ground Floor Entrances.** Carefully design entrances to be distinct and prominent features of a building, particularly lobby entrances. Consider the following techniques:

- The main entrance(s) should be larger than other doors on the façade with prominent architectural features consistent with the style of the building.
- Consider use of features such as a prominent lintel, distinctive architectural detailing, and awnings.
- Residential entryways should be a prominent feature on the building façade.
- Always orient main entrances toward the principal street, not toward parking lots.
- Place at least one prominent pedestrian entrance facing the principal street. At least one prominent entrance should be provided for each building.
- Historic entrance patterns should be respected.

Figure 7: PEDESTRIAN SCALE ARTICULATION



Provide pedestrian-scaled façade articulation to create an active and inviting public realm, create visual interest and diversity, and reinforce the pedestrian scale and character of the street. Articulation may include bays, horizontal banding, sills, fenestration, alcoves, awnings/canopies, trellises, well defined entries, storefront design, and other pedestrian amenities (DG-26).

Alcoves that allow outdoor eating and awnings establish the pedestrian scale (DG-26 top). Activate upper-stories with private open spaces (DG-27 middle). Main entrances should be larger than other doors on the façade and window design can be used to add architectural interest (DG-29 and DG-31 bottom).

DG-30 **Entrance Hierarchy.** A clear, hierarchical distinction should be made between primary entrances and secondary entrances. Primary entrances should be clearly expressed to impart a sense of prominence through scale, detailing and ornamentation that clearly denotes their stature as the main access to a building.

DG-31 **Window Design.** Use window design and proportions to add architectural interest to buildings and differentiate the various components of the building (e.g. ground floor retail spaces, stair towers, corners, office suites, or residential units). Use window frames, sills, and/or recesses to add visual interest.

DG-32 **Views of Indoor Space.** Street facing building façades containing non-residential uses, and street facing building façades containing retail uses, should provide transparency such that windows allow views of indoor space between two and nine feet above the sidewalk, as shown in Figure 8.

DG-33 **Consistent Horizontal Lines.** Design horizontal lines of new buildings (such as cornice lines or the top or bottom of a row of windows or balconies), to generally be in the same alignment or within three feet higher or lower than existing structures horizontal features (such as cornice line or total height), to establish continuity, as shown in Figure 8.

DG-34 **Façade.** Ensure unified and harmonious building façades by integrating all architectural elements, including signs, artistic elements, balconies, building entrances, and lighting. Windows should have regular patterns and be coherent in shape and proportion.

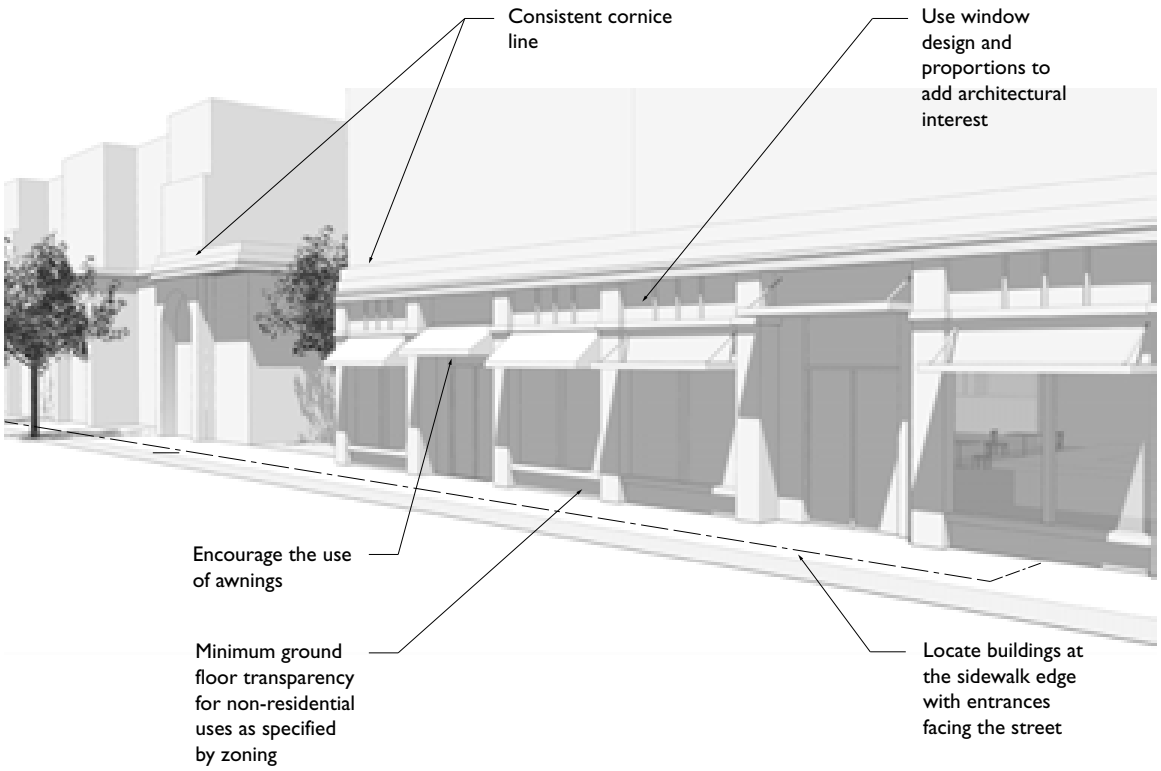
DG-35 **Awnings.** Encourage the use of awnings, canopies, and over-hangs to provide shelter and shade over the main entrances and along the sidewalk on pedestrian-oriented retail streets, to enhance the pedestrian realm. Awnings are particularly beneficial on south- and west-facing sides of the street. Awnings should be:

- In scale with the building, and divided into sections to reflect major vertical divisions of the façade.
- Placed below the ground-floor cornice line (or below the sills of second floor windows if no cornice exists). Avoid covering transom windows and other architectural elements.
- Designed to be decorative, complementary to the overall design of the building, and effective for weather and sun protection.
- Project awnings over doors and windows.
- Designed so as to not interfere with the tree canopy or signage.

DG-36 **Integrate Artistic Details.** If feasible, integrate artistic details to provide visual interest to the façade of the building. These features can provide visual surprise and interest, and should be consistent with the design style of the building.

DG-37 **Garage Doors.** Integrate garage doors into the building design and reduce their prominence on the street. Garage doors should not be a prominent feature of a street facing façade. The following methods help reduce the visual prominence of garage doors:

Figure 8: STREETWALL

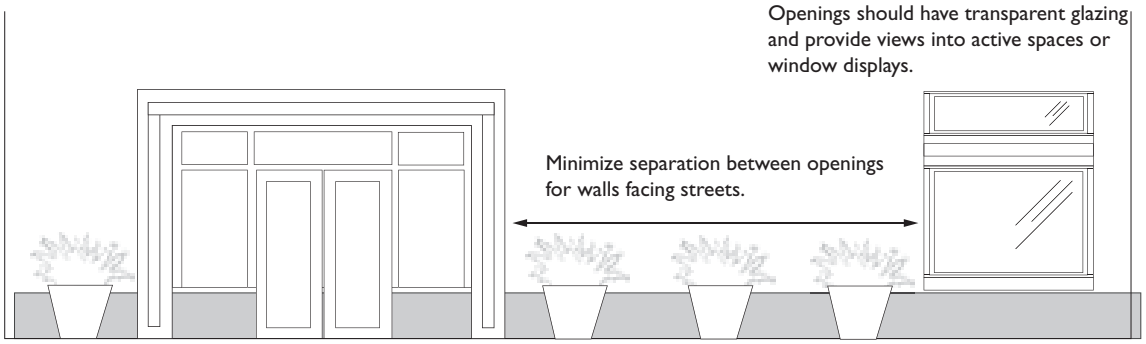


Streetwall components include window design, views of indoor spaces through use of ground floor transparency, consistent horizontal lines such as cornice lines, unified and harmonious façades, use of awnings, and minimized blank walls (DG-32 through DG-35 and DG-38).

Views of indoor spaces are important to establish interaction between the street and business interiors (DG-32 top). Rows of windows above the ground floor create consistency between adjacent buildings (DG-33 middle). Integrate architectural elements, including balconies, entrances, and lighting (DG-34 bottom).

Awnings in the Chinatown Commercial core (top). Awnings should be decorative and complementary to the overall design and provide shelter and shade (DG-35 middle and bottom).

Figure 9: BLANK WALL LIMITATION



Minimize the amount of the linear frontage of the first story street wall that may consist of blank walls (DG-38).

- Garage doors should face a side street wherever feasible, particularly on transit priority streets.
- Dimension garage doors as narrow as is functionally feasible while still meeting Planning and Building code requirements.
- Place the garage door toward the end of the façade, not in the middle or toward the intersection.
- Recess the garage door.
- Call attention to other prominent architectural elements on the façade.
- Design the garage door to be consistent with the architectural style of the building.

DG-38 Blank Wall Limitations. Minimize the amount of the linear frontage of the first story street wall that may consist of blank walls, as shown in Figure 9. The maximum length of any continuous blank wall is generally 30 feet and no more than one third of a street frontage. Where blank walls are unavoidable, reduce the impact by:

- Placing blank walls as out of view as possible from the street.
- Providing architectural treatments such as panels, contrasting textures, high-quality and interesting building materials, blind windows, special landscape treatment, murals or other public art, and/or exterior detailing. As much creativity should be given to these walls as to the rest of the façade of the building.
- Extensive use of green screens to break up a façade is not a recommended solution.

Ground Level Commercial

DG-39 Storefronts. Define individual storefronts with architectural elements such as piers or changes in plane. Complete storefront façades should include doors, large display windows, bulkheads, signage areas, and awnings. Frequent entries and windows with visible activity should occur on all publicly exposed façades of commercial buildings. Dis-

play windows should enliven the street and provide pedestrian views into the interior of the storefront.

DG-40 Large Retail. Where large retail establishments are provided, design buildings to support the pedestrian-oriented environment:

- Locate and orient buildings along primary street edges and public spaces,
- Provide fenestration (windows, glass storefronts and doors), and cohesive signage.
- Incorporate an appropriate level of design detail, ensuring that loading, storage and equipment areas are screened and well-integrated into the building.
- Encourage large urban retail stores to use a multi-story format.

DG-41 Outdoor Seating. Encourage dining establishments to provide outdoor seating:

- Within the sidewalk right-of-way, provided the city's minimum clear zone for pedestrians is maintained (5.5 feet minimum, eight feet desired).
- By allowing an additional set-back of five to 20 feet from the street wall, if that space is regularly used for outdoor seating, and is maintained by the business.

DG-42 Flexible Commercial Space. Provide ground floor building spaces large enough to create viable and flexible commercial space. All commercial ground floors should:

Interrupt blank walls with windows, design elements, and landscape treatments (DG-38 top). Storefronts should include doors, large display windows, and awnings (DG-39 middle and bottom).

Encourage large urban retail stores to use a multi-story format (DG-40 top) and encourage outdoor seating in order to further activate the street (DG-41 middle and bottom).

- Have a minimum height of fifteen feet measured from grade to the floor plate of the second story. This enhances the viability of retail spaces and gives the building a stronger street presence.
- Be at least fifteen feet wide and forty feet deep, wherever feasible under the constraints of the building floor plan. The minimum width allows for adequate entry and street front display space; the minimum depth allows for adequate shopping space, back room operational area, and bathrooms.

DG-43 **Large Retail Spaces.** Large retail spaces are encouraged to incorporate space for smaller retail uses within the larger retail space, particularly on street frontage.

DG-44 **Infrastructure.** Encourage ground-floor commercial spaces to be equipped with the necessary building infrastructure like gas lines, grease traps, water hook-ups, etc., to accommodate food service establishments.

DG-45 **Promote Safety in Commercial Design.** Incorporate CPTED principals in project design to ensure patrons feel safe frequenting businesses and are encouraged to return. Review the full survey in the City's CPTED Security Handbook. Also see DG-11 for more details.

Ground Level Residential Buildings

DG-46 **Street Wall Openings.** Multi-family developments may contain openings in the street wall to allow for the extension of interior courtyards to the public street. Any security gating or fencing across this area should be a minimum 75 percent transparent to provide views into the courtyard.

DG-47 **Façade.** In multifamily developments, articulate ground floor residential building façades to differentiate individual residential units from each other and from the overall massing of the building, in order to express a rhythm of individual units along the street. Façades should include stoops, porches, recessed windows, and bay windows or balconies, as shown in Figure 10.

DG-48 **Entry.** All residential units should have the primary entrance, either individual or shared, facing a street and should incorporate a projection (e.g. porch or stoop) or recess, as shown in Figure 10.

DG-49 **Transitional Features.** Site transitional features in the front setback of residential buildings. Entrances should provide a connection to the street through stoops, a pathway, or porches.

DG-50 **Prominent Ground Floor.** Establish a prominent ground floor in residential buildings. Design a tall ground floor to establish a street presence and human scale. Generally, this requires at least fifteen feet from the grade to the floor of the second story, as shown in Figure 10.

Residential Livability

For residential development with one or two primary dwelling units, or the residential portions of mixed use development projects with one or two primary dwelling units, please see the City of Oakland *Interim Design Review Manual for One-and Two-Unit Residences.*

DG-51 **Privacy.** Maintain a sense of privacy from within housing units, while allowing views onto streets and interior courtyards. For instance, in residential units with narrow side yards, place side elevation windows so that they are offset from those of the adjacent unit, position windows on upper floor balconies so as to minimize views into neighboring properties or use obscure glass as appropriate in order to ensure privacy.

DG-52 **Family-Friendly Housing.** Design family-friendly housing and units for a range of ages. Situate family-oriented units to maximize accessibility and visibility for parents watching children playing on the sidewalk or courtyard.

DG-53 **Range of Unit Sizes.** Provide variety of unit sizes, including studios and units with three or more bedrooms.

DG-54 **Orientation.** Design units to allow sunlight for at least part of the day.

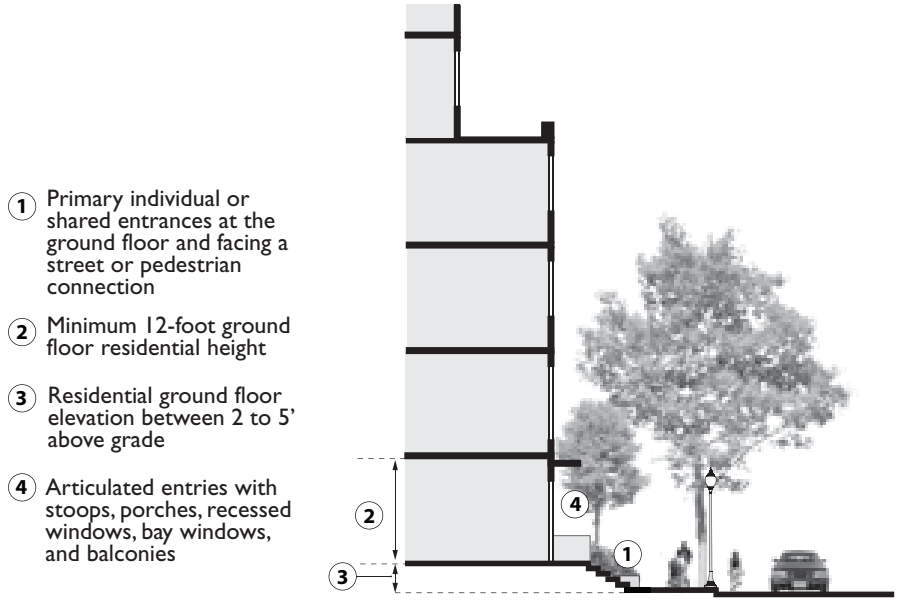
DG-55 **Operable Windows.** To the maximum extent possible, provide some operable windows in all housing units, to allow in light and fresh air, and also to potentially eliminate the need for mechanical ventilation, where mechanical ventilation is not required for air filtering purposes. Where ventilation systems are necessary, include a minimum of two operable windows where feasible and use energy-efficient and low emission heating, ventilation and air conditioning (HVAC) systems.

DG-56 **Promote Safety in Residential Design.** Incorporate CPTED principals in project design. Review the full survey in the City's CPTED Security Handbook.

DG-57 **Shared Spaces.** Provide areas that consist of landscaped areas, walks, patios, barbeque areas, playgrounds, recreational facilities, turf, or other such improvements as are appropriate to enhance the outdoor environment of the development.

- *Location*. Where community rooms are planned, locate them adjacent to either the private common open space or public open space.
- *Seating*. Provide ample seating, which can be comprised of benches, seating walls, and moveable seating. Arrange seating for gathering, conversing, and supervising children play areas. A majority of seating should have back support.
- *Orientation*. Design private common open spaces to maximize sunlight while providing wind protection and shading, and minimize noise impacts.
- *Safety*. Ensure safety and visibility by designing at least a portion of units to overlook the common open space and allowing security cameras to monitor common spaces, if appropriate.

Figure 10: RESIDENTIAL GROUND LEVEL DESIGN



Façades should include stoops, porches, recessed windows, and bay windows or balconies (DG-47). All residential units should have the primary entrance, either individual or shared, facing a street and should incorporate a projection (e.g. porch or stoop) or recess (DG-48). Design a tall ground floor to establish a street presence and human scale (DG-50).

Multi-family developments may contain openings in the street wall to allow for the extension of interior courtyards to the public street (DG-46).

Differentiate individual residential units from each other and from the overall massing of the building, in order to express a rhythm of individual units along the street (DG-47).

Primary residential entrances should incorporate projections, such as stoops, porches, recessed windows, and bay windows or balconies (DG-48).

Architectural details add special character of the Chinatown Commercial District API, which is characterized by small-scale, early 20th-century commercial buildings (DG-64 top, middle, and bottom). 800-33 Harrison Street is a successful example of adaptive reuse in this API (DG-67 bottom).

Historic Resources

This section is complementary to the Lake Merritt Station Area Plan Chapter 7: Cultural Resources, and the *Historic Preservation Element (HPE)* of City of Oakland's *General Plan*, both of which address the wealth of historic resources in the Planning Area. Both historic preservation and adaptive re-use are encouraged in the Planning Area; the following guidelines build on other sections for guidance specific to historic resources, including new buildings in historic districts or adjacent to historic buildings. For additional guidance related to transitions between existing buildings and new development, including height, see the Massing and Scale section, page 12.

DG-58 Contribute to Historic Districts. New buildings developed within historic districts or adjacent to historic buildings should seek to contribute to the existing historic and architectural character of the area, while also seeking to be recognized as products of their own time. Consider how the style, massing, rhythm, setbacks and material of new development may affect the character of adjacent resources.

DG-59 Complement and Reinforce the Scale. The massing and scale of new buildings within historic districts or adjacent to historic buildings should reinforce the existing rhythm of buildings and spaces between buildings. The predominant parcel pattern for the Chinatown API is 25- to 50-foot parcel frontages, the parcel pattern for the 7th Street API is 25-foot parcel frontages. The King Block has typically larger parcel sizes, but frontage is typically broken into smaller increments.

DG-60 Complement and Reinforce the Street wall. Locate new buildings within historic districts or adjacent to historic buildings to complement the existing street wall. Site buildings such that the setback of a new building should reinforce the prevailing average setbacks of adjacent historic buildings.

DG-61 Complement and Reinforce Building Articulation. Entrances, stoops, porches, and other projections should be incorporated in new buildings within historic districts or adjacent to historic buildings which relate to the pattern of existing adjacent buildings and contribute to a consistent rhythm and continuity of features along the street. For instance, front stoops and porches occur on many historic buildings in the 7th Street API and could be a compatible feature on new buildings.

DG-62 Complement and Reinforce Architectural Details. The architectural details of new buildings within historic districts or adjacent to historic buildings should relate to existing buildings. Such details may include lintels, cornices, arches, chimneys, and ironwork. Since there is such a large variety of styles and details within the historic districts in the Planning Area, new development must specifically consider adjacent properties.

DG-63 Building Form. The complexity of the form and shape of new buildings within historic districts or adjacent to historic buildings should be compatible with existing adjacent buildings. The degree to which a new building is simple or complex in form and shape should be based upon the dominant characteristics of architecture of the area. New buildings in areas where simpler forms prevail should

reflect that simplicity, while the existence of more complex forms (e.g. Queen Anne and other Victorian styles) allows for more richness and variation.

DG-64 **Chinatown Commercial District API.** The architectural details of new buildings within or adjacent to the Chinatown Commercial District API should relate to existing distinguishing features of the district. The Chinatown Commercial District is characterized by small-scale, early 20th-century commercial buildings. Uses generally are retail and commercial on the ground floor, with residential or offices on upper floors. Similar architectural and façade features crop up in remodelings done in the 1960s and 1970s. The area is characterized by high density and lively sidewalk activity.

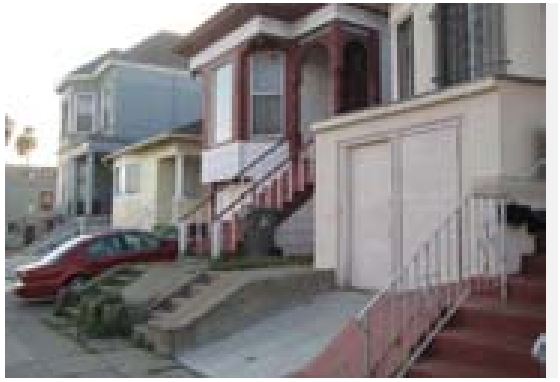
DG-65 **7th Street/Harrison Square Residential Historic District API.** The architectural details of new buildings within or adjacent to the 7th Street/Harrison Square Residential Historic District API should relate to existing distinguishing features of the district. Most of the buildings in the 7th Street/Harrison Square Residential District are detached one- or two-story wood frame structures set back from the sidewalk line, including many Victorian and Colonial Revival cottages and houses. The district began as a residential area and continues largely so to this day. Except for the intrusions of some industrial buildings and apartment buildings, the district is unified in scale, apparent density, use, and relationship of buildings to lots.

DG-66 **Pitched Roofs in the 7th Street API.** New development at the predominant height in the 7th Street Historic API should include a pitched roof (which is included in the total height of the building). Roof pitch should be consistent with or complementary to adjacent historic buildings.

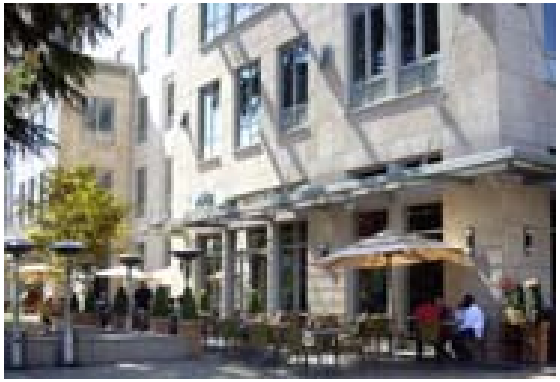
DG-67 **Adaptive Reuse.** Retain and integrate historic and architecturally significant structures into larger projects with adaptive reuse. When adapting or altering historic resources, consider the following:

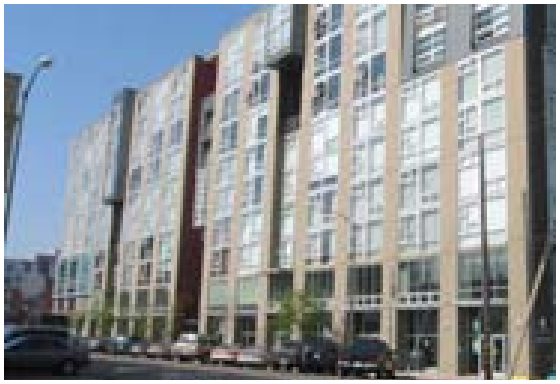
- Work within the existing building envelope is recommended; where additions are desired, they should generally be located on a secondary or rear façade.
- Avoid removal of historic resources or covering historic architectural details with cladding, awnings, or signage.
- Use historic photos to inform rehabilitation, if available.
- Use materials and colors that complement the historic character of the property.
- Consider consultation with a preservation architect to ensure renovations are compatible. Consult with City's historic preservation staff.

DG-68 **Preservation.** Avoid removal of historic resources.



Architectural details add special character to the 7th Street API, which is typified by detached one- or two-story wood frame structures set back from the sidewalk line, and pitched roofs (DG-65 and DG-66 top, middle, and bottom).





Use high-quality, durable architectural materials and finishes (DG-69 top and middle) and accent materials to add texture, color, and visual interest (DG-77 bottom).

Building Materials, Color, and Lighting

Choice in building materials is an important contributor to the quality of the building and the public realm.

DG-69 **High Quality Materials.** Use high-quality, durable architectural materials and finishes that provide a sense of permanence throughout the exterior and public interior spaces of the buildings. Exterior building materials should generally be brick, painted wood clap-board, metal panels, or other quality, durable materials. Materials palette should be reflective of the character of the location and type of architecture and use of the building, and a unified palette of materials should be used on all sides of buildings. Stucco and concrete should not be overused, but can be utilized in a high quality manner.

DG-70 **Ground Floor Materials.** Install durable and attractive materials on the ground floor façade of buildings that will not easily exhibit wear and tear. This is especially important for buildings that have minimal or no front setback because pedestrians can easily make contact with the façade. The material on the ground floor should be attractive and carefully detailed to set it apart from upper stories. Durable materials include masonry, tile, brick, metal, stone, and architectural concrete. Wood may be acceptable depending on its sturdiness and appearance. Stucco should be of smooth finish to not collect dirt, and should not be used at the bulkhead of a building because it will collect dirt and easily stain.

DG-71 **Upper Level Materials.** Exterior materials on the upper levels of buildings should create a sense of permanence, provide an attractive visual quality, and be consistent with the design concept of the building. Consider the following for upper level materials choices:

- Recommended exterior treatments include decorative brick, wood or high density wood composite, or cement pane siding that contain horizontal or vertical lines for visual interest.
- Metal siding can be used if consistent with the design concept of the building. Use metal siding with a factory finish; avoid metal products with an unfinished appearance.
- Use durable woods such as cedar shingles, or ipe siding that are either painted or left in their natural state. Also consider the use of high density, durable wood composites instead of wood. This type of material can provide the visual interest of traditional wood without the maintenance concerns. Avoid stained wood because it easily weathers and runs.
- Use cement panels thick enough to resist warping when they are installed.
- Stucco is an acceptable exterior finish if appropriate for the design concept of a building. Stucco should generally be of a smooth to medium finish so that dirt and grime do not easily accumulate on the building façade.

DG-72 **Sustainable Materials.** To minimize the overall environmental impact of development, use sustainable building materials to the maximum extent feasible which are recycled, renewable, sustainably harvested, locally sourced, and are non-toxic/ low-VOC (volatile organic compound).

DG-73 **Color.** Color palettes should reinforce building identity and should complement changes in plane.

DG-74 **Glazing.** Glazing should be clear or lightly tinted and non-reflective.

DG-75 **Reflective Materials.** For tower portions of buildings and buildings that front onto public open spaces, lighter exterior colors with high light reflectance (without producing glare) should be used to maximize daylight onto public open spaces, streets and sidewalks.

DG-76 **Green Roofs.** Green roofs can be incorporated into building design to manage stormwater runoff and reduce energy consumption. All green roofs must be designed to permit routine maintenance and irrigation, as necessary.

DG-77 **Accent Materials.** Accent materials should be employed at the ground level to add texture, color, and visual interest at the pedestrian level.

DG-78 **Building Lighting.** Design exterior building lighting as an integral part of the façade:

- Lighting fixtures should be architecturally compatible with the building's style and should be placed to accent other architectural features.
- Building-mounted lighting is recommended for pedestrian-oriented and high-visibility areas.
- Design lighting standards and fixtures to be harmonious with the building design, and complement lighting in the public right-of-way.
- Provide lighting at all entryways, alcoves or other features of the building to ensure visual surveillance of the building and its public areas.
- Encourage display window lighting in storefronts and lighting under the awning, as security measures.
- Lighting should comply with CPTED strategies, including:
  - Use of energy efficient and break-resistant lighting to enable consistent use.
  - Ensure that building lighting illuminates building numbers, access, front and back areas, and corners.
  - Ensure lighting provides a cone of light downward to walkways.
  - Provide lighting between buildings to distinguish forms and movement.

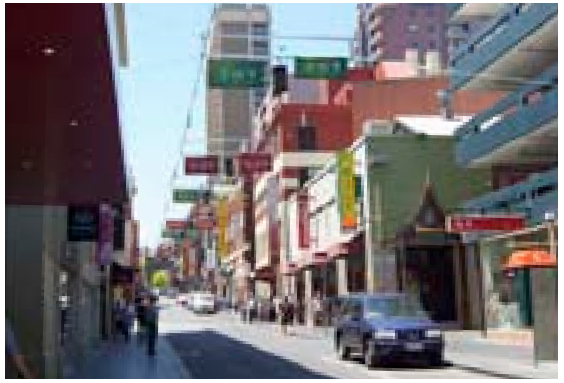
Signage

See the City of Oakland's *Small Project Design Guidelines* for additional guidance on signage.

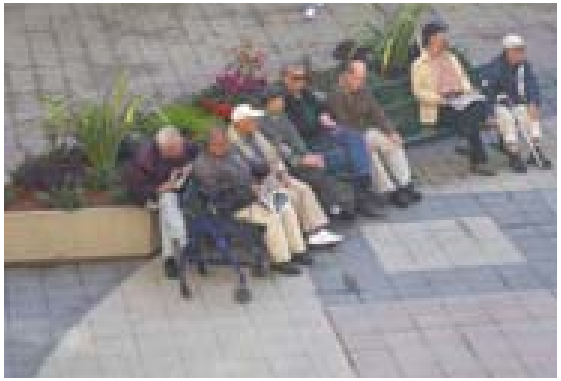
DG-79 **Illumination.** Provide sign illumination appropriate to the building design and location.

- Consider up-lit signage or use of accent lighting or other subtle illumination to improve visibility at night.
- Prohibit any sign that, because of brilliant interior or exterior lighting, interferes with the enjoyment of surrounding property or interferes with traffic.
- Externally lit signs should not illuminate upper stories; instead, illumination should focus on the sign itself or downward toward the sidewalk.

DG-80 **Visibility.** Place signs for easy visibility and ensure that projecting signs are strictly controlled to ensure that they do not obstruct each other.



Signage should be visible and compatible with building architecture (DG-80 and DG-81, top, middle, and bottom).



Use landscaping to enhance the pedestrian realm (DG-85 top and middle) and use California native and drought-tolerant plants (DG-87 bottom).

DG-81 **Architectural Compatibility.** Ensure new signage is compatible with building architecture and character.

- Signs (including supporting structures, if any) should be designed as an integral design element of a building's architecture and should be architecturally compatible, including color and scale, with the building.
- Avoid signs that cover a window or that spills over "natural" boundaries or architectural features and/or obscures parts of upper floors of buildings as it is detrimental to visual order.
- Signs above the first story should not obstruct views from inside or outside upper stories.
- High quality materials should be used, such as finished wood, metal, and durable woven fabric.

DG-82 **Consistency with Area Character.** Ensure new signage is compatible with the character of existing buildings.

- Signs should employ designs, features, materials, and colors that are consistent with the scale and character of the district in which they are located. Bilingual signage is encouraged in the Planning Area.
- New signage should complement or create an interesting and pleasing contrast to existing buildings and signage on the same block or adjacent blocks.

DG-83 **Legibility and Readability.** Ensure new signage is easily understood.

- The size and proportion of the elements of the sign's message, including logos, letters, icons, and other graphic images, should be selected based on the anticipated distance and travel speed of the viewer. Sign messages oriented towards pedestrians should be smaller than those oriented towards automobile drivers.
- Design signs to be readable and concise, so that a viewer can understand or make sense of what appears on the sign. Excessive use of large areas of several colors can create competition for the eye and reduce readability.

Landscaping

DG-84 **Buffer Landscaping.** Use landscaping to buffer noise, air quality, and visual impacts and changes in use—particularly in transition zones between commercial or industrial and residential uses, and adjacent to the I-880 Freeway.

DG-85 **Landscaping.** Use landscaping to enhance and identify the pedestrian realm and entrances and to articulate strong edges for plazas and courtyards. Landscaping should not create blind spots or hiding spots.

DG-86 **Landscaping.** Use trellises and vines or other plantings on building exteriors to insulate and cool interiors.

DG-87 **Native and Drought-Tolerant Plants.** Follow the Bay-Friendly Landscaping standards and use California native and drought-tolerant plants to reduce water needs and avoid reduce invasive species.

DG-88 **Stormwater.** Manage stormwater on-site through such methods as green roofs and/or rooftop gardens or water catchment systems to be used for irrigation.

DG-89 **Sustainable Surfaces.** Use sustainable surface materials for paving to the maximum extent feasible, such as reclaimed pavers, locally-produced materials, or concrete and asphalt with fly ash content.

DG-90 **Visibility.** Prune shrubs to no more than 42 inches high and trees up seven feet from the ground in order to maintain shade provided by trees, the curb appeal of shrubbery, and a clear, unobstructed view.

Parking

DG-91 **Location.** Where possible, locate parking structures either partly or entirely below grade. Surface parking lots should be considered temporary uses. If parking is located above ground, locate commercial building space at the street, at least 15 feet in height and 20 feet deep.

DG-92 **Vehicular Access.** Minimize the number and size of curb cuts and share access drives to parking facilities wherever feasible, in order to expand pedestrian space, reduce conflicts with pedestrians and bicycles, ensure pedestrian safety, and increase the supply of on-street parking.

DG-93 **Site Design.** Locate parking lots, driveways, loading, and service areas behind buildings, below grade, encapsulated within buildings, or on secondary frontages to reduce visual impact. Ensure that they are visually screened from public view with architectural elements and/or landscaping features. Where possible, access should be from streets that are not transit priority streets or key pedestrian or bicycle connecting streets to facilitate active pedestrian edges, reduce transit impacts, and improve bicycle safety.

DG-94 **Signage.** Provide clear signage for entrances to structured parking to facilitate ease of parking in mixed-use areas.

DG-95 **Bicycles.** Bicycle parking should be conveniently located, secure, weather protected, and conform to specific regulations in Planning Code Chapter 17.617.

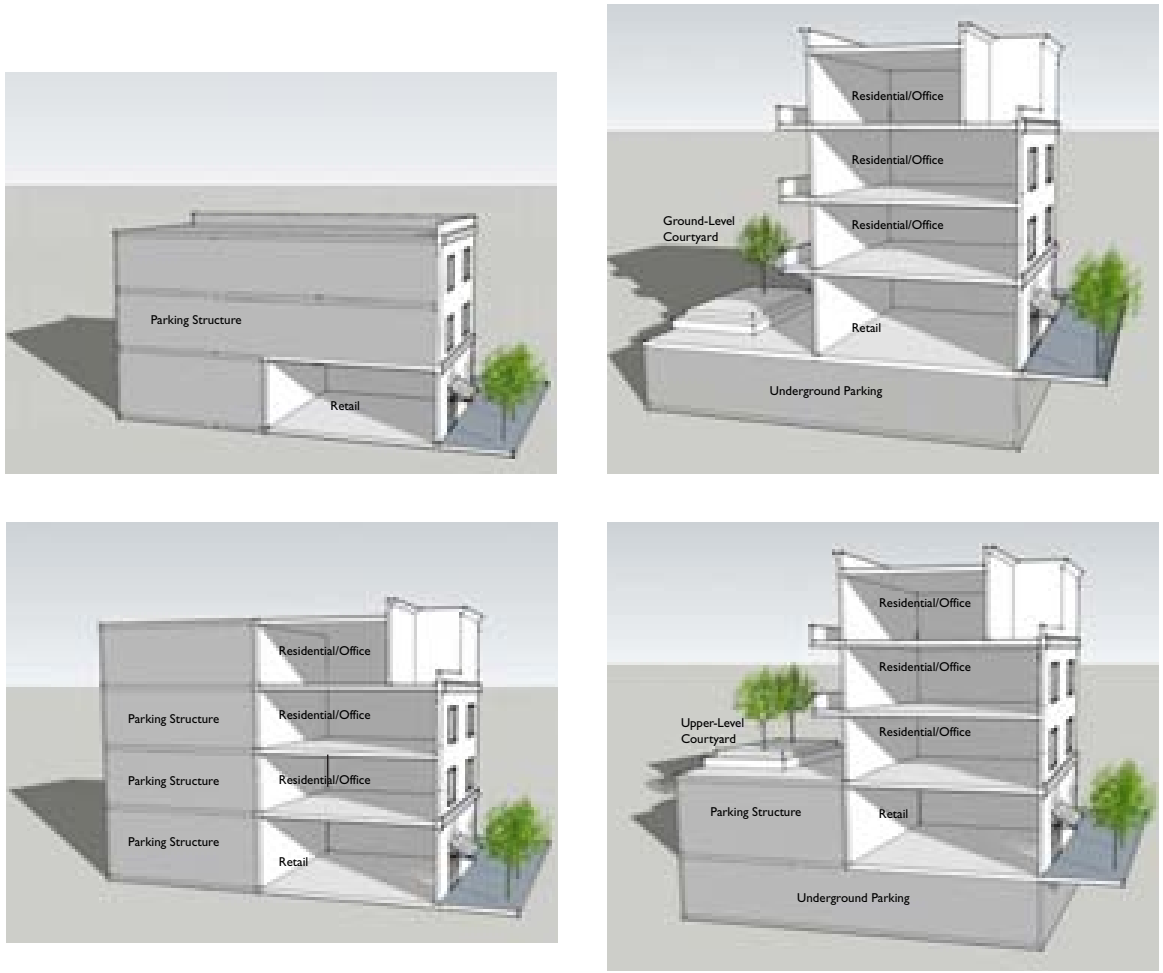
Parking Structures

DG-96 **Parking Structures.** Ensure that structured parking does not create a void in the pedestrian environment, by incorporating the following elements:

- Structured design must maintain an interaction between building function and the streetscape through fenestration, entries, and outdoor extension of uses.
- Provide pedestrian-oriented lighting along all streetfronts.
- Wrap the ground level of parking structures with active uses (commercial, residential, office, studios, etc.).
- Where active uses are not required or feasible at the ground floor, design parking structures that face the street such that façades are architectural and attractive, cars are screened, and sloped floors are not expressed on the exterior elevations. Provide horizontally aligned openings even where parking structure floors are sloped.

Design parking structures with façades that are architectural and attractive (DG-96 top). Wrap the ground level of parking structures with active uses (DG-96 middle). Accommodate pedestrians with pedestrian-only pathways through parking areas (DG-100 bottom).

Figure 11: PARKING STRUCTURE ENCAPSULATION



On sites that are half a block or greater (30,000 square feet or greater) in size, at least 50 percent of the above grade parking should be encapsulated, or wrapped so that the parking area is not apparent from the public right-of-way (DG-97).

- When parking structure entrances face the street, the width of portions visible from the public right of way should generally not exceed 25 feet.

DG-97 **Encapsulation.** On sites that are half a block or greater (30,000 square feet or greater) in size, at least 50 percent of the above grade parking should be encapsulated, or wrapped so that the parking area is not apparent from the public right-of-way, as shown in Figure 11.

DG-98 **Integral Design.** Design all visible structured parking as an integral part of the project it serves, consistent in style and materials with the balance of the project. Design parking structure façades as extensions of adjacent multistory buildings:

- Provide at least the same architectural quality to the parking façade as the façade of the rest of the building.
- Employ the same pattern or cadence of windows and massing as in adjoining or adjacent buildings.
- Relate the materials of the parking façade to the rest of the building or alternatively, use contrasting, high-quality materials to create an architectural feature or generate a multi-layered façade (for example glass or decorative screens).
- Place accent landscaping on the parking façade that is compatible with the building design. Landscaping compatible with building design may also be used as screening.
- Avoid continuous horizontal building openings and blank flat concrete façades.

DG-99 **Pedestrian Access.** Stair towers and pedestrian entries into parking structures should be emphasized as identifying architectural elements and located adjacent to public streets, along major pedestrian connections, and close to active ground floor uses. They should be free of visual obstruction to promote a feeling of security and comfort and to minimize conflicts between pedestrians, bicycles, and vehicles.

DG-100 **Pedestrian Pathways.** Accommodate pedestrians with pedestrian-only pathways through parking lot areas. Clearly mark and connect these areas to public sidewalks with continuous pavement, pavers, or specially-painted crosswalks.

DG-101 **Façade Design.** To enhance the appearance of parking structures, consider using the following façade treatments:

- Living walls or landscaping;
- Awnings, arcades, trellises, or porticos along street-facing façades and pedestrian connections at parking structures; and
- High-quality and multi-layered façades, such as glass, perforated metal, or decorative screens, as façade treatments.

DG-102 **Lighting.** Ensure adequate lighting along garage façades to improve visibility and pedestrian safety, but shield the street from interior garage lighting.

DG-103 **Parking Podiums.** The height of the stoop/parking podium facing streets for multi-family residential buildings should be limited to a maximum of five feet above grade. Parking podiums should be screened with stoops, stairs, ornamental screens, and landscaping.

Surface Parking

DG-104 **Surface Parking.** Surface parking lots should be considered temporary uses, with new buildings and structured or underground parking planned for the long-term.

DG-105 **Sustainable Parking Design.** Design surface lots to incorporate trees for shading and permeable surfaces to minimize stormwater runoff. Consider use of motion-sensor lighting in some areas to reduce energy use.

DG-106 **Perimeter Landscaping.** A landscaped area at least five feet wide should be provided between any surface parking area and any property line adjacent to a public right-of-way.

DG-107 **Lighting.** Ensure adequate lighting of parking lots to improve visibility and pedestrian safety. Ensure that parking lot lighting consist of frequently spaced lights, no more than 15 feet tall, rather than a few tall bright lights.

Utilities

DG-108 **Location of Utilities.** Utility boxes, transformers, and lines should be undergrounded wherever possible, or located outside of the pedestrian pathway in order to provide unobstructed walkways and views.

DG-109 **Undergrounding.** Support local utility providers in the undergrounding of utilities. Work with PG&E and other public agencies to underground existing overhead utility lines.

Stormwater Management

DG-110 **Tree Planting and Preservation.** Tree planting and preservation should be encouraged along streets and within private property for new developments to enhance livability. Trees perform several important functions, including reducing runoff, improving water and air quality, mitigating the heat island effect, reducing noise, and elevating the character of a place. In particular, consider the following:

- Along with street trees, tree planting within properties should be encouraged particularly along parking lots. Tree planting should also be encouraged within setbacks, buffers, courtyards and other spaces within private property.
- During the design phase, work with project applicants to preserve significant on-site trees. During construction, ensure that remaining trees are protected.

DG-111 **Structural Soils.** Structural soils may be utilized to provide spaces more conducive to tree and root growth while also increasing stormwater-holding capacity. Structural soils create a load-bearing medium that has a greater ability to maintain necessary voids for root growth, air circulation and stormwater containment in more urban conditions.

Where planting space available for trees is constrained, consider using engineered products such as root barriers and structural soils to greatly increase the success rate and life span of new and

existing trees or using large containerized bio-retention gardens that receive and treat stormwater.

DG-112 **Green Roofs.** Incorporate intensive green roofs with usable open space and extensive green roofs wherever practicable. Green roofs can provide multiple benefits in the Lake Merritt Planning Area, where an extensive percentage of the area is impervious. These include stormwater benefits and reduced heating and cooling costs, as well as open space for users.

DG-113 **Bio-Retention.** Bio-retention facilities slow and treat stormwater by temporarily retaining it using soil, vegetation, hardscape elements and other materials to support and enhance the infiltration and bioremediation processes. Bio-retention facilities include artificial wetlands, swales, rain gardens, and flow-through planters. Consider the following:

- Incorporate bio-retention facilities in projects and particularly in communal open spaces where they can provide habitat and aesthetic value.
- To prevent clogging by construction debris, these facilities should be built last or runoff should be diverted around them until two months after construction is completed.

DG-114 **Bio-Filtration.** Incorporate bio-filtration facilities into surface parking lots and other large, paved circulation, service and storage areas. Bio-filtration facilities filter runoff through soils and plant material to remove suspended sediments. The design solutions in this category differ from bio-retention facilities in that their primary purpose is usually to convey stormwater rather than to retain or store it. Often, bio-filtration facilities can be used to pre-treat runoff before it enters bio-retention facilities or infiltration basins/trenches, which require low sediment loads to prevent clogging. Bio-filtration facilities include grass filter strips and vegetated swales.

DG-115 **Infiltration.** Review the potential to incorporate infiltration capacity into the design of street tree trenches. Infiltration facilities slow and filter runoff, improving the water quality and reducing the volume of runoff leaving the site. Infiltration trenches and basins can be designed with larger reservoirs and some degree of exfiltration to compensate for compacted soils. Infiltration facilities include infiltration basins, trenches, sand filters, and French drains.

DG-116 **Permeable Paving.** Permeable paving is used to reduce runoff and imitate the natural process of stormwater infiltration into the soil. Consider the following:

- The use of permeable paving to reduce surface run-off is encouraged wherever feasible for parking stalls, plazas and courtyards.
- Where possible, drainage should be directed to planting areas to maximize percolation.

4 Streetscape Design Guidelines

Streetscape elements create the environment that lends Chinatown excitement and allure. They provide the setting for vibrant pedestrian life and encourage people to linger, explore and connect with others in Chinatown. Banners announce cultural events and neighborhood celebrations, paving materials and patterns encourage passersby to linger and explore, trees and plantings provide shade and texture, and street lighting casts a warm and inviting glow on the sidewalks at night.

Any improvement to the public right-of-way that affects the design, operation or maintenance of public systems must be consistent with these recommendations and must be reviewed and approved by the City's Public Works Agency.

General

DG-117 Walkability. Foster a walkable, accessible, and safe street environment that connects people to transit, housing, employment, and major destinations in the Planning Area.

DG-118 Pedestrian Comfort. Design streetscapes for pedestrian comfort with wide sidewalks and amenities for pedestrians such as comfortable street furnishings, sufficient and attractive pedestrian-oriented lighting, and street trees for shading and aesthetics.

DG-119 Bicyclist Comfort. Design streetscapes for bicycle comfort on streets identified in Figure 6.6 with bike lanes or sharrows and amenities for cyclists such as bike racks, sufficient and attractive lighting, and street trees for shading and aesthetics.

DG-120 Transit Priority Streets. Consider the following on Transit Priority Streets in order to ensure quality bus service and access.

- Design buildings to minimize driveways to limit conflicts with bus service.
- Consider additional setbacks for new buildings where additional sidewalk width is needed to accommodate bus shelters.
- Design bus bulbs to aid boarding and exit from buses, and design pedestrian corner bulb-outs to not interfere with bus operations.
- Maintain parallel on-street parking (rather than angled parking).

DG-121 Traffic Calming. Provide curb bulb-outs at street corners and mid-block crossings to calm traffic, heighten pedestrian visibility and comfort, and reduce crossing distance where most needed.

DG-122 Consistent Street Design. Ensure that street improvements in historic districts complement historic buildings as part of a pedestrian-oriented environment.

Lighting

DG-123 Lighting and Safety. All public spaces, including streets, open spaces, parking lots, transit waiting areas, and building entrances, should be well-lit and designed for high visibility to ensure personal safety and comfort. Lighting should comply with CPTED strategies.

DG-124 Pedestrian-Oriented Lighting. Provide continuous pedestrian-oriented street lighting throughout the Planning Area, to increase illumination on the sidewalks, increase pedestrian comfort, and improve safety. Lighting should meet the following guidelines:

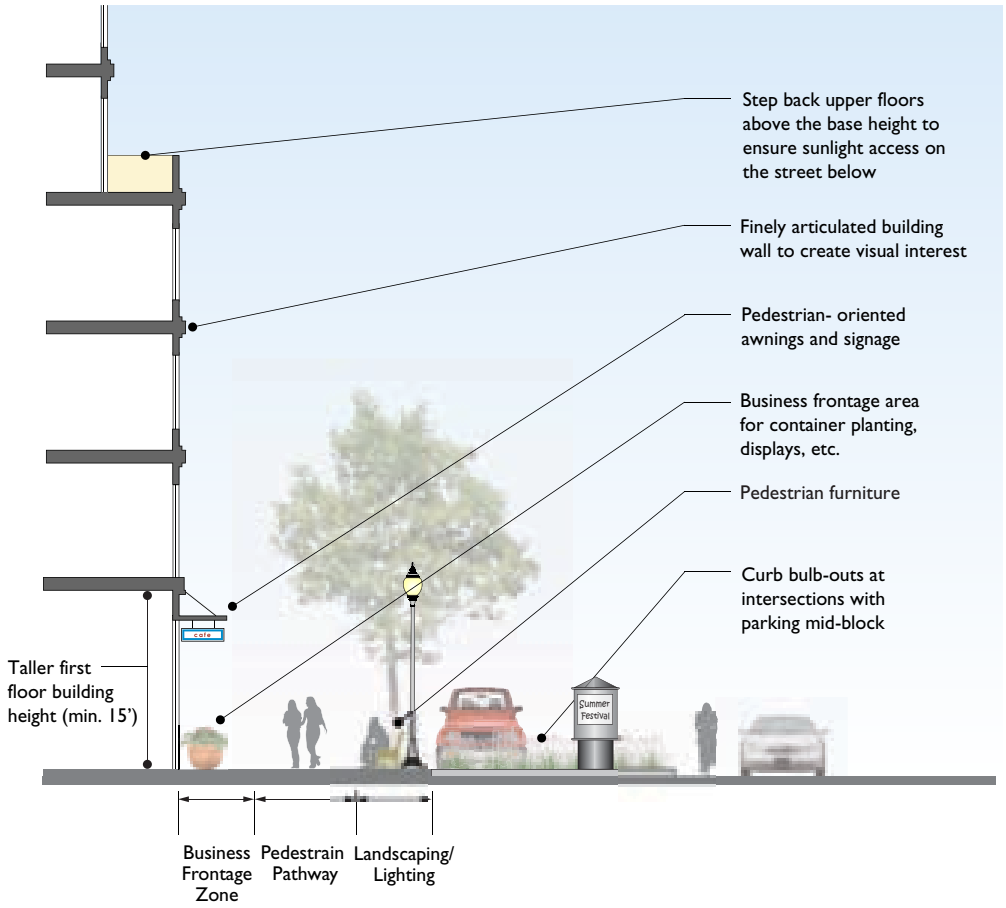
- Decorative streetlights scaled for pedestrian comfort.
- Spacing of lights should be approximately 20 to 40 feet on center; 50 feet on center is acceptable if a lower-cost, reduced-impact spacing is necessary.
- Use long-life lamp bulbs.
- Streetlight luminaries should be deeply recessed, "sharp cutoff" types.
- House-side shields should be specified for locations where the streetlight luminaries may inadvertently cast light on the windows of residences or restaurants.
- Streetlight design should be decorative, incorporating design elements that are sympathetic in style to traditional Chinatown architecture and storefront character. For instance, a version of the Lake Merritt decorative post-top streetlight, painted special colors for Chinatown, may serve this purpose.

Sidewalks

DG-125 Sidewalk Elements. Sidewalk widths should in general be twelve feet. Note that a building setback to widen the sidewalk can be required as a condition of approval for new development. The following three components should be considered in the design of the sidewalk area, as shown in Figure 12:

- Business Frontage Zone: This area is along Active Ground Floor Use streets, located furthest from the curb, and provides accessibility and visibility between buildings and the street. This area should be a minimum of two feet, and may include space for displays (e.g., produce stands), outdoor dining, container plantings, etc.
- Pedestrian Pathway Zone: This middle area is the unobstructed path of travel for pedestrians. An eight foot unobstructed pedestrian pathway is desired, and the minimum required unobstructed pedestrian pathway is 5.5 feet. This effective width should be straight and all street furniture should be at the street edge.
- Landscaping/Street Furniture Zone: The area closest to the curb should provide a four to six foot space for pedestrian-oriented lighting, street trees, landscaping, bus stops, street signs, benches, trash/recycle bins, bicycle parking, and other street furniture. This area also represents the buffer between parking or driving/biking lanes and the pedestrian pathway.

Figure 12: SIDEWALK ELEMENTS



Sidewalk elements should include a business frontage zone, pedestrian pathway zone, and landscape/street furniture zone. A five foot minimum and eight foot desired unobstructed pedestrian path should be maintained (DG-125).

DG-126 **Key Pedestrian Streets.** Key Pedestrian Streets, including 8th, 9th, Franklin, Harrison, Webster, Madison, and Oak Streets, should be designed to provide focus to the neighborhoods, and serve as activity spines. These streets should be characterized by as many of the following traits as possible:

- Well-lighted sidewalks with pedestrian-oriented lighting;
- Wide sidewalks;
- Outdoor café and restaurant seating, where sidewalk width permits;
- Consistent street tree species;
- Consistent street furnishings, lighting fixtures, and specialty planting (planters, etc.);
- Emphasis of gateways with public art, special signage, banners, and landscaping;
- Visually highlighted crosswalks with a change in paving material or striping, signage, and/or signalization;
- Wayfinding signs, banners, and flags;
- Benches and game tables that provides spaces for gathering;
- Curb bulb-outs at key intersections.

DG-127 **14th Street.** Establish 14th Street as a ceremonial street linking Frank Ogawa Plaza at the City Center to Lake Merritt, by implementing special pedestrian-oriented streetscape improvements, which may include special lighting that complements Lake Merritt's necklace of lights, special plantings, special sidewalk paving treatment, and/or distinctive street furniture.

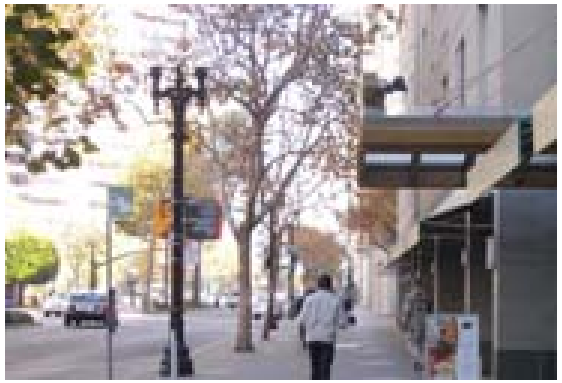
DG-128 **Connector/Green Streets.** Connector/Green Streets include 14th, Oak, 10th and 7th Streets. These streets should be designed as public spaces, offering opportunities for community gathering, strolling, lingering, sitting, and jogging. They should be distinguished by elements such as:

- Well-lighted sidewalks with pedestrian-oriented lighting;
- Additional trees and plantings;
- Wide sidewalks, including consideration of the needs of walkers;
- Places to linger, sit and contemplate;
- Places for public art;
- Widened sidewalk with enhanced landscaping;
- Bicycle facilities.

DG-129 **Special Paving.** Employ special paving treatments to improve pedestrian crossings:

- Paving at expanded sidewalk corners ("bulb-outs"): Colored and decoratively scored concrete, to match or complement the central "corridor" of the mid-block sidewalk paving.
- Intersection paving at scramble intersections to mark both the diagonal and the perpendicular pedestrian crosswalk areas.
- Paving on festival streets to differentiate them as special shared streets.

DG-130 **Traffic Signal Poles:** A cast decorative base may be added to existing traffic poles, matching new streetlights as closely as possible.



Improved pedestrian comforts includes calmed traffic, improved street crossings, and street trees for shade (DG-126 top). Street lighting should build on the existing scheme used in Chinatown (DG-133 middle) with new compatible features incorporated as desired (DG-133 bottom).

DG-131 **Furnishings:** Street furnishings may be considered for the additional space provided at intersections by the sidewalk bulb-outs in order to provide pedestrian amenities. These furnishings may include:

- Architectural kiosks which display a map and directory of Chinatown businesses on one side and a controlled, changeable display panel for community events posters on the other side to provide guidance to new visitors and customers.
- Permanent historical markers.
- Public art elements.
- Seating.
- Game tables (i.e., possibly Chinese chess for seniors), where there is sufficient space.
- Trash and recycling receptacles.

DG-132 **Vending:** Street vending displays shall adhere to the following design guidelines:

- The finish materials used for display merchandise must be smooth, nonabsorbent and cleanable.
- Merchants must be responsible for making sure that all activities on the sidewalk stay within the approved area and maintenance of the storefront, exterior walls, sidewalk and gutter in a clean condition at all times. Sidewalks shall be washed daily at locations with food displays and as needed at others.
- All movable display stands shall be promptly removed from the sidewalk in accordance with approved time of operation every day.

Wayfinding and Gateways

DG-133 **Wayfinding and Signage System.** Expand the existing bilingual wayfinding and signage system in the Chinatown core to the rest of the Planning Area that ensures that residents, workers, and visitors can easily navigate the area:

- Work closely with the Chinatown Coalition, BART, the Oakland Museum of California, and Laney College to identify locations for expansion of the existing wayfinding system throughout the Planning Area. Identify any desired new desired design elements to incorporate into the existing system.
- Supplement signage and banners with public art, landscaping, and distinctive lighting and street furniture to reinforce the neighborhood identity.
- Ensure that the system identifies key entrance points and connections within the City and to the Chinatown core. Design elements implemented at entrance points should incorporate clear and attractive signage, significant landscaping, public art, and lighting elements to create a sense of entry and neighborhood character.
- Ensure wayfinding and signage is reflective of the culture and heritage of Chinatown.

- Major destinations for directional signage should include the Chinatown core, Lake Merritt BART Station, and 12th Street BART Station, Pacific Renaissance Plaza, Lincoln Square Park, Madison Square Park, Laney College, the Oakland Museum of California, and Lake Merritt.
- Incorporate historical and cultural destinations into the wayfinding system.
- Major wayfinding elements such as kiosks should be located at key public destinations, including the Lake Merritt BART Station, Lincoln Square Park, entrances to Laney College, and in the core of Chinatown to help orient visitors.

DG-134 **Chinatown Gateway.** Work closely with the community to identify gateways to the Chinatown core with signage and public art that identifies the unique and vibrant community and retail district, to help orient and greet visitors. Seek a public art installation as a gateway that consists of entryways and consistent elements throughout the neighborhood that celebrates the existing and cultural history of the neighborhood. This should be coordinated with the wayfinding system.

DG-135 **Eastlake Gateway.** Ensure public realm improvements and landmark building design establish a gateway effect at 1st Avenue and East 12th Street.

Street Trees

DG-136 **Street Trees:** Provide street trees throughout the Planning Area, taking into account the following considerations:

- Deciduous tree species should be carefully selected to provide visibility between street and storefront, to reflect the cultural heritage of Chinatown, and to enable sunlight to filter through along most streets, especially in the winter, while providing shade during summer.
- Tree spacing may vary from 20 to 50 feet on center.
- Trees should have flush-mounted grates and matching guards.
- Landscaping should not block street lighting lampposts or illumination.
- Priority locations for new street trees are on Green Streets and Key Pedestrian and Bicycle Connections (10th, 9th, 8th, Franklin, Webster, Harrison, Oak and Madison Streets).
- Minimize encroachment of tree wells on the usable sidewalk width by specifying rectangular tree wells with the long side parallel to the curb line.

5 Open Space Design Guidelines

Open Spaces should be visible and accessible from the street (DG-140 top). Open spaces should be designed with amenities and for enjoyment by people of all ages (DG-142, DG-146 middle). Lake Merritt Channel improvements should follow Bay Conservation Development Commission guidelines (DG-153 bottom).

Open Space Guidelines

As part of revising the Oakland Planning Code to implement the Lake Merritt Station Area Plan, the City should provide new open space standards to apply to parks and publicy-accessible open space in the Planning Area. Open space standards should be based on the guidance provided by policies in the OSCAR and other planning documents, as well as on "best practices" embodied by the guidelines that follow.

DG-137 **Sun Exposure.** Locate open space along the east, west, or south side of blocks to maximize exposure to the sun, while protecting from wind. Ensure there are shaded and sheltered areas in addition to full sun areas.

DG-138 **Open Space Location.** Locate publicly accessible open space near the center of activity nodes or buildings and along pedestrian connections to encourage a variety of spillover activities and facilitate pedestrian access.

DG-139 **Visual Access.** Design open space to be visually accessible from the street, by highlighting views of the open space, installing signage, etc. Design open space that fronts the sidewalk to be primarily open and free of walls or other obstructions (not including trees, lights, low bollards and steps).

DG-140 **Physical access.** Design open space to be physically accessible from the street and designed for public use. Ensure that the grade of an open space is not more than three feet above or below the sidewalk grade. Use landscaping strategically to identify pedestrian entrances and articulate edges for plazas and courtyards.

DG-141 **Maintenance.** Ensure that parks are clean and well-maintained. Privately owned open spaces should be cleaned and maintained by the property owner.

DG-142 **Amenities.** Provide amenities for public use, including ample seating, which can be comprised of benches, seating walls, and moveable seating; trees and landscaping; and shaded and sheltered areas, in addition to areas with full sun access.

DG-143 **Surfaces.** Provide a surface that allows convenient use for outdoor enjoyment and/or recreation for all ages. Such surface may be any practicable combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. Slope should not exceed 10 percent.

DG-144 **Landscape Materials.** Use low-maintenance landscape materials that are climate appropriate, drought-resistant, and require minimal irrigation (See Alameda County's Bay-Friendly Landscaping guidelines).

DG-145 **High quality materials.** Use high-quality, durable materials that are cost-effective in the long-term. To the extent feasible, standardize the amenities in publicly accessible open space (e.g. benches and trash cans), and incorporate technology (e.g. solar trash compactors, moisture-sensing sprinklers) to minimize costs and make maintenance and repairs more efficient.

DG-146 **Multigenerational Facilities.** Provide amenities and programs for a variety of users (e.g. seniors, children, and teenagers) at different times of day and evening. Design should include minimal level changes and at-grade or ramped entries.

DG-147 **Public Art and Programming.** Provide public art and programming that reflect the culture of the community (e.g. intergenerational and multi-cultural activities).

DG-148 **Active uses in open spaces.** Encourage a variety of activities, programs, and events in open spaces to promote active uses, such as open air cafés and food vendors. Vendors should generally not occupy more than 20 percent of the total area of the open space. Also, provide opportunities for quiet passive recreation.

DG-149 **Stormwater management.** Use stormwater management systems, bioswales and rain gardens in street medians or landscape buffers. Employ moisture-sensitive irrigation systems.

DG-150 **Lighting.** Maximize lighting for safety, especially along connections between transit facilities, in public plazas, pedestrian-oriented destinations, parking areas, and other major public destinations. Consider placement of security cameras in areas that may have limited visibility.

DG-151 **Private Rooftop Space.** Rooftop open spaces may serve as private open space.

DG-152 **Public Rooftop Space.** Rooftops may provide up to 50 percent of public open space. If rooftop space is used for public open space, it must be designed and managed so that it is usable and accessible to the public.

Shoreline Guidelines

DG-153 **Lake Merritt Channel open space guidelines.** Incorporate the following elements into the design of new open spaces along the Lake Merritt Channel in order to ensure that new open spaces are publicly accessible:[1]

- Ensure safety and security.
- Design for a wide range of users and relate to adjacent uses.
- Design, build, and maintain in a manner that indicates the public character of the space.
- Provide public amenities, such as trails, benches, play opportunities, trash containers, drinking fountains, lighting and restrooms that are designed for different ages, interests and physical abilities.
- Maintain and enhance the visual quality of the shoreline and adjacent developments by providing visual interest and architectural variety in massing and height to new buildings along the shoreline.
- Ensure that new public access areas are clearly connected to public rights-of-way, such as streets and sidewalks, are served by public transit, and are connected to adjacent public access or recreation areas.
- Employ appropriate siting, design and management strategies (such as buffers or use restrictions) to reduce or prevent adverse human and wildlife interactions.
- Balance the needs of wildlife and people on an area wide scale, where possible.

1 San Francisco Bay Conservation and Development Commission, "Shoreline Spaces: Public Access Design Guidelines for the San Francisco Bay, April 2005.

Green roofs, permeable paving, and on-site energy generation are all components of sustainable building design.

6 Sustainability and Green Building

Green building focuses on a whole systems and environmentally beneficial approach to the siting, orientation, design, construction, operation, maintenance, renovation, and demolition of buildings and landscapes. In particular, green building strategies include efficiencies in structure design, energy usage, and water consumption; the reduction of waste and the incorporation of ecologically appropriate, durable materials; improving and maintaining indoor environmental quality for the comfort and health of occupants; and the optimization of operations and maintenance systems. Benefits of green building include natural resource conservation, energy efficiency, improved health of employees and residents, and increased economic vitality.

The City of Oakland has made significant efforts in advancing city policies and programs geared for a more sustainable future. Starting in 1998, the City adopted the Sustainable Community Development Initiative, and subsequently, the City Council has adopted various policies in support the initiative. These efforts, along with larger statewide efforts to create a more sustainable California, have resulted in various regulations related to building design, which projects throughout the city and state must now comply with.

An overview of current ordinances and programs that affect new building construction, adaptive reuse, and certain additions and alterations that will affect projects within the city, including the Planning Area, follows.

City of Oakland Green Building Ordinance

In October of 2010, the city adopted the Green Building Ordinance for Private Development Projects. The ordinance affects a wide range of projects from new construction of single- and multi-family residential as well as non-residential projects, additions and alterations, modifications or demolition of historic resources, construction of affordable housing and mixed-use projects, as well as projects requiring a landscape plan. Projects that are affected based on defined thresholds in the ordinance include:

- Residential and non-residential new construction, additions and alterations;
- Removal of a historic resource and new construction;
- Historic residential and non-residential additions and alterations;
- Mixed use construction; and
- Construction requiring a landscape plan

Certain types of projects are required to receive certification through a non-governmental green rating agency, including:

- All new residential construction and residential additions or alterations over 1,000 square feet, certified through Built It Green's GreenPoint Rated program.
- All new non-residential construction and non-residential additions or alterations.

City resources are easily accessible to assist developers and property owners in complying with the Green Building Ordinance. In 2006, the city officially adopted a resolution to encourage the use of the Alameda County Residential Green Building Guidelines, USGBC's LEED Rating System for new commercial construction and remodeling, and Stop Waste's Bay Friendly Landscape Guidelines as official documents to guide development to facilitate approvals. Resources are provided at no cost. Further information and downloadable documents can be accessed from the city's website at http://www2.oaklandnet.com/GreenBuilding/index.htm.

CALGreen

In addition to Oakland's Green Building Ordinance, as of January 2011, new construction projects are required to comply with the California Green Building Standards Code also known as CALGreen. This first-in-the-nation mandatory Green Building Code (CALGreen), which acts like the state's building and energy regulatory codes, requires all new buildings in the State to be more energy efficient and environmentally responsible. CALGreen's comprehensive regulations include a mix of prescriptive and performance based standards that will achieve major reductions in greenhouse gas emissions, energy consumption and water use to create a greener California. Like California's existing building code provisions that regulate all construction projects throughout the state, the mandatory CALGreen provisions will be inspected and verified by local and state building departments, thereby not adding certification costs to builders.

In addition, starting July 1, 2012, existing non-residential additions over 2,000 square feet and alterations with construction cost of greater than $500,000 will require compliance with CALGreen. Further information is available through the California Building Standards Commision website: www.bsc.ca.gov/home/calgreen/aspx.

Construction and Demolition Ordinance

In July of 2000, the city adopted the Construction and Demolition Ordinance in order to achieve State and County waste reduction goals, and simultaneously encourage development and redevelopment at higher intensities and in hopes of supporting its efforts towards a more sustainable future. The ordinance promotes reusing, salvaging, and recycling of construction and demolition debris to conserve natural resources and reduce the need for landfill space as well as to stimulate markets for recycled materials, which may reduce construction costs related to debris disposal.

Projects affected meet one or more of the following criteria:

- New construction;
- Non-residential or apartment house (3+ units) demolition; and
- Non-residential or apartment house (3+ units) addition or alteration valued at or greater than $50,000 adjusted to year 2000 dollar values.

Documentation must be submitted calculating itemized and total volumes or weights of the material that is proposed for reuse or salvage, and that which is proposed for landfill by type of material, showing that at least 50 percent of the volume will be diverted. The proposal must be approved prior to obtaining a demolition and building permit. Follow up monitoring is performed through inspections and audits.

Recycling Space Allocation Ordinance

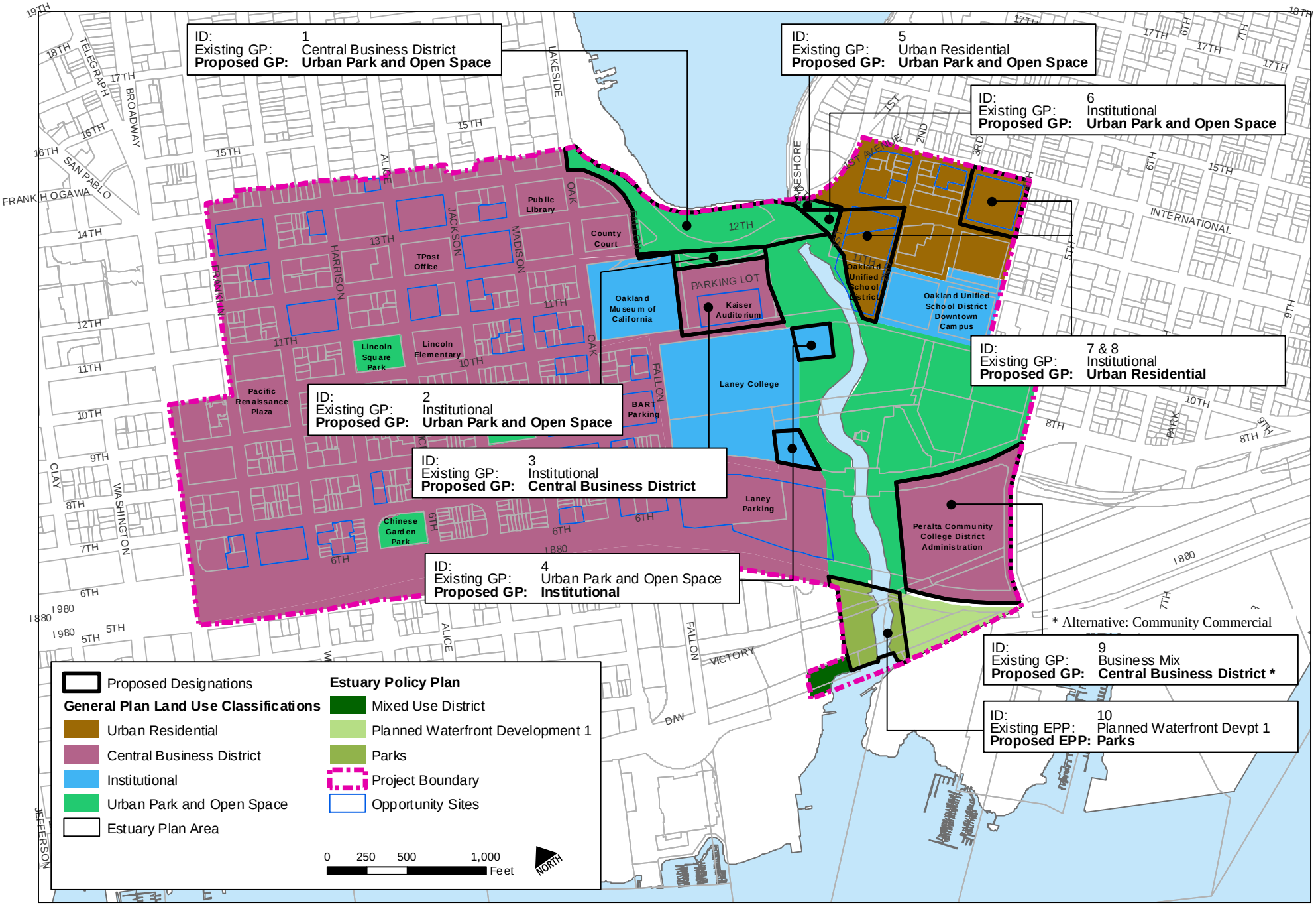
In June 1995, the city adopted the Recycling Space Allocation Requirements ordinance, which requires certain developments to provide space for the collection and loading of recyclable materials in conformance with the standards established by the Integrated Waste Management Board. Projects affected are required to provide adequate, accessible and convenient areas for collecting and loading recyclable materials. Depending on certain permit application submittal(s) criteria, projects affected may include:

- New construction of public facilities where solid waste is collected and loaded and improvements to existing areas where solid waste is collected and loaded;
- New construction of residential (5+ units) where solid waste is collected and loaded for five or more living units, and additions to existing residential (5+ units) adding 30 percent or more to the gross floor area;
- New construction of marinas, commercial and industrial uses and additions to existing commercial and industrial adding 30 percent or more to the gross floor area;
- Multi-tenanted residential, commercial and industrial uses where applications are submitted for the entire project or by a single tenant, which singly or collectively add 30 percent or more to the gross floor area.

Other Programs

GreenTRIP

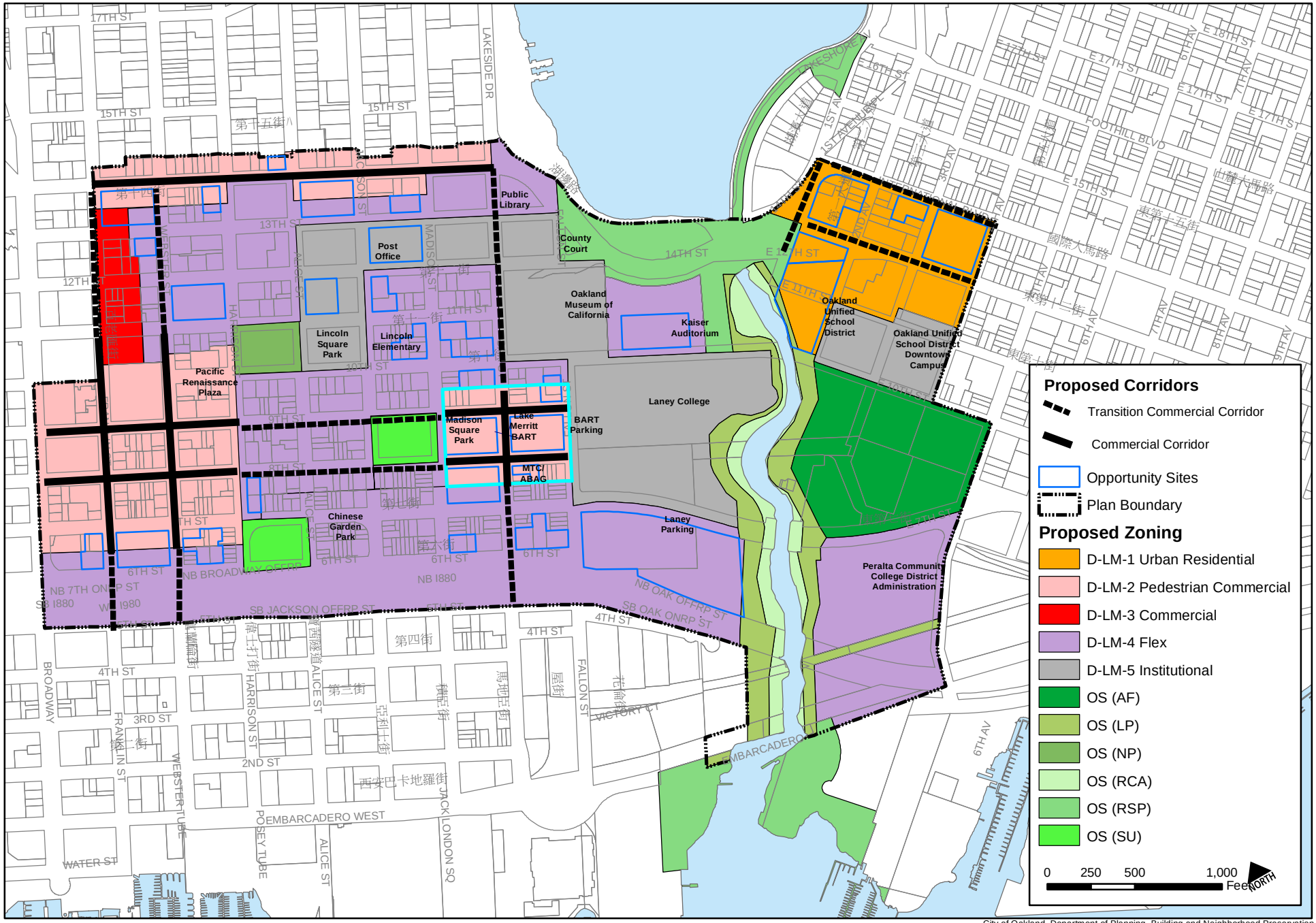
GreenTRIP is a voluntary certification program run by TransForm, that rewards multi-family, mixed-use, in-fill projects that apply comprehensive strategies to reduce traffic and greenhouse gas emissions. Projects meeting GreenTRIP certification criteria provide appropriate amounts of parking and incentives for new residents to drive less and own fewer vehicles. By creating less driving and using less land for parking spaces, there's space freed up for services, shops and more affordable homes. Environmental and social outcomes for GreenTRIP projects are expected to include fewer miles of driving per day than the regional average, lower car ownership rates, and more affordable living that bring families savings on car ownership, free transit and carshare memberships.



City of Oakland, Department of Planning, Building and Neighborhood Preservation
DRAFT

LAKE MERRITT BART STATION AREA PLAN

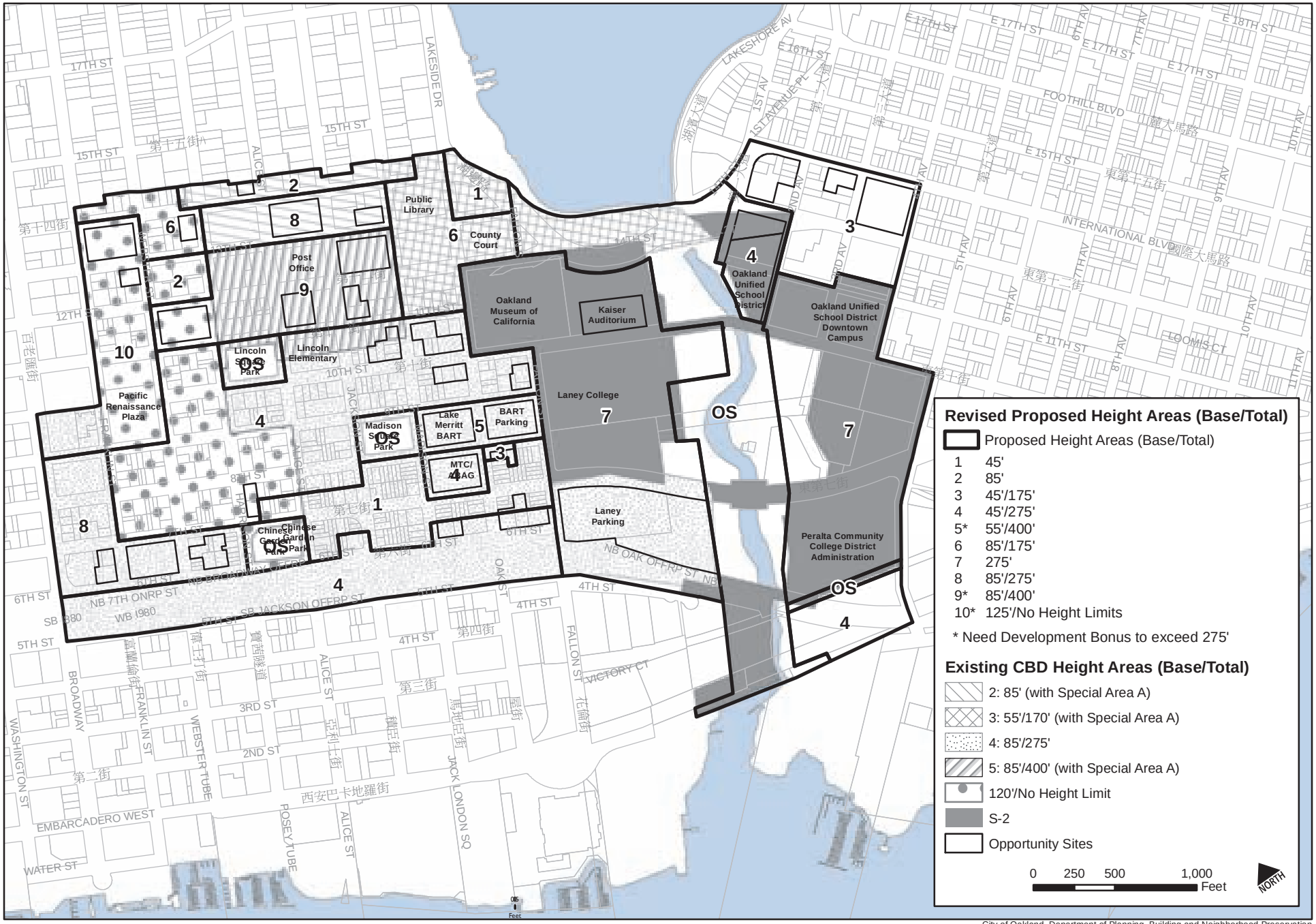
Proposed General Plan and Estuary Policy Plan



City of Oakland, Department of Planning, Building and Neighborhood Preservation
November 2012

LAKE MERRITT BART STATION AREA PLAN

Proposed Zoning Districts



City of Oakland, Department of Planning, Building and Neighborhood Preservation
February 2013

LAKE MERRITT BART STATION AREA PLAN

Comparing Existing and Revised Proposed Height Limits

Text in [brackets] will not be part of the Code language and is included here for informational purposes only.

Chapter 17.101G
D-LM LAKE MERRITT STATION AREA PLAN DISTRICT ZONES REGULATIONS

Sections:

17.101G.010 - Title, purpose, and applicability.

A. Intent. The provisions of this Chapter shall be known as the D-LM Lake Merritt Station Area Plan District Zones regulations. The intent of the D-LM regulations is to implement the Lake Merritt Station Area Plan. Consistent with the Lake Merritt Station Area Plan, development in this district shall be of a high quality design and include active ground floor uses where appropriate and feasible. The objectives of the Lake Merritt Station Area Plan are to:

1. Create a more active, vibrant, and safe Lake Merritt Station Area Plan District to serve and attract residents, businesses, students, and visitors;
2. Increase activity and vibrancy in the area by encouraging vital retail nodes that provide services, restaurants, and shopping opportunities;
4. Improve connections between the Lake Merritt Station Area Plan District and major destinations outside the area;
5. Improve safety and pedestrian-orientation;
6. Accommodate the future population, including families;
6. Increase the number of jobs and develop the local economy;
7. Identify additional recreation and open space opportunities and improve existing resources;
8. Encourage and enhance a pedestrian-oriented streetscape.

B. Description of zones. This Chapter establishes land use regulations for the following five base zones:

1. **D-LM-1 Lake Merritt Station Area Plan District Urban Residential Zone.** The intent of the D-LM-1 zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District appropriate for high-density residential development with small-scaled compatible ground-level commercial uses.
2. **D-LM-2 Lake Merritt Station Area Plan District Pedestrian Zone.** The intent of the D-LM-2 zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District

for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities.

3. **D-LM-3 Lake Merritt Station Area Plan District General Commercial Zone.** The intent of the D-LM-3 zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District appropriate for a wide range of ground-floor commercial activities. Upper-story spaces are intended to be available for a wide range of residential and office or other commercial activities.

4. **D-LM-4 Lake Merritt Station Area Plan District Flex Zone.** The intent of the D-LM-4 zone is to designate areas of the Lake Merritt Station Area Plan District appropriate for a wide range of upper story and ground level residential, commercial, and compatible light industrial activities.

5. **D-LM-5 Lake Merritt Station Area Plan District Institutional Zone.** The intent of the D-LM-I zone is to create, preserve, and enhance areas devoted primarily to major public and quasi-public facilities and auxiliary uses.

17.101G.020 – Required Station Area Plan conformance.

All development shall be in substantial conformance with the approved Lake Merritt Station Area Plan, and the Plan's adopted Standard Conditions of Approval and Mitigation Measures.

17.101G.030 - Required design review process.

A. Except for projects that are exempt from design review as set forth in Section 17.136.025, no Building Facility, Designated Historic Property, Potentially Designated Historic Property, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

B. In addition to the design review criteria listed in Chapter 17.136, conformance with the Design Guidelines Manual for the Lake Merritt Station Area Plan is required for any proposal in the D-LM zones subject to the design review procedure in Chapter 17.136.

C. Where there is a conflict between the design review criteria contained in Chapter 17.136 and the design review guidelines contained in the Design Guidelines Manual for the Lake Merritt Station Area Plan, the design objectives in the Design Guidelines Manual for the Lake Merritt Station Area Plan shall prevail.

17.101G.040 – Pre-Application review for projects on Opportunity Sites.

Prior to development that involves more than five thousand (5,000) square feet of new floor area or any new construction on an Opportunity Site – as identified in the Lake Merritt Station Area Plan – the applicant shall submit for a pre-application review of the proposal. During the pre-application review, City staff will provide information about applicable Lake Merritt Station Area Plan objectives and design guidelines.

Text in [brackets] will not be part of the Code language and is included here for informational purposes only.

17.101G.050 - Permitted and conditionally permitted activities.
17.101G.060 - Permitted and conditionally permitted facilities.
[See ***Attachment G*** for proposed permitted and conditionally permitted activities, facilities.]

17.101G.070 - Property development standards.

A. Applicability.

1. Property Development Standards Shall be Required for New Facilities and Additions to Existing Facilities. Facilities, or portions thereof, which are constructed, established, wholly reconstructed, or moved onto a new lot after the effective date of the D-LM zoning requirements, shall comply with the property development standards in Section 17.101F.060C.
2. Property Development Standards Shall be Required for Major Remodels. [Thresholds to be determined.]

B. Ground Floor Storefront Design Standards. The items below prescribe the development standards for new construction of ground floor storefronts as part of a mixed use development project. Also see Lake Merritt Station Area Plan Design Guidelines for further guidance.

Miminum width of storefronts	15 ft
Minimum depth of storefront bay	50 ft

C. Zone-Specific Designs Standards. Table 17.101F.03 below prescribes development standards specific to individual zones. The number designations in the right-hand column refer to the additional regulations listed at the end of the Table.

Table 17.101F.03: Property Development Standards

Development Standards	Base Zones					Additional Regulations
	D-LM-1 [Urb Res]	**D-LM-2 [Ped]**	**D-LM-3 [Comm]**	**D-LM-4 [Mix]**	**D-LM-5 [Instit]**	
Minimum Lot Dimensions						
Width	25 ft.	25 ft.	50 ft.	50 ft.	50 ft.	1
Frontage	25 ft.	25 ft.	50 ft.	50 ft.	50 ft.	1
Lot area	4,000 sf.	4,000 sf.	7,500 sf.	7,500 sf.	7,500 sf.	1
Minimum/Maximum Setbacks						
Minimum front setback for ground floor residential facilities	5 ft.	0 ft.	0 ft.	0 ft.	0 ft.	2
Maximum front and street side for the first story	None	5 ft.	5 ft.	10ft	10ft	2
Maximum front and street side for the second and third stories or 35 ft, whatever is lower	None	5 ft.	5 ft.	None	None	3
Minimum interior side	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	4
Minimum corner side	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Rear	10 ft.	0 ft.	0 ft.	0 ft.	0 ft.	5

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Minimum setback from Lake Merritt Estuary Channel	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	6
Design Regulations						
Ground floor commercial facade transparency	65%	65%	55%	55%	55%	7
Minimum height of a ground floor that contains non-residential facilities	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	8
Minimum separation between the grade and ground floor living space	2.5 ft.	Not applicable	2.5 ft.	2.5 ft.	2.5 ft.	9

Additional Regulations:

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, width and street frontage regulations.

2. Paved surfaces within required street-fronting yards, and any unimproved rights-of-way of adjacent streets, on lots with only residential facilities shall be limited to fifty percent (50%) on interior lots and thirty percent (30%) on corner lots.

3. The following notes apply to the maximum yard requirements:

a. The requirements only apply to the construction of new principal buildings and to no more than two property lines. One of these property lines shall abut the principal street.

b. The requirements do not apply to lots containing Recreational Assembly, Community Education, Utility and Vehicular, or Extensive Impact Civic Activities or Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities as principal activities.

c. In the D-LM-2, D-LM-3, and D-LM-4 zones, these maximum yards apply to seventy-five percent (75%) of the street frontage on the principal street and fifty percent (50%) on other streets, if any. All percentages, however, may be reduced and the maximum yard requirements above the ground floor may be waived upon the granting of regular design review approval (see Chapter 17.136 for the design review procedure). In addition to the criteria contained in 17.136.035, the proposal must also meet each of the following criteria:

i. Any additional yard area abutting the principal street is designed to accommodate publicly accessible plazas, courtyards, or sidewalk cafes and restaurants;

ii. The proposal will not impair a generally continuous wall of building facades;

iii. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage;

iv. The proposal will not interfere with the movement of people along an important pedestrian street;

v. The proposal will not weaken the street definition provided by buildings with reduced setbacks; and

vi. The proposal will not interrupt a continuity of 2nd and 3rd story facades on the street that have minimal front yard setbacks.

4. See Section 17.108.080 for the required interior side and rear yard setbacks on a lot containing two or more living units and opposite a legally-required living room window. See Section 17.108.130 for allowed projections into required yards.

5. In the D-LM-1 zone, portions of a building over fifty-five (55) feet shall setback at least one (1) foot from the required rear yard for every five (5) feet that portion is above fifty-five (55) feet. This regulation shall not apply when the rear yard faces a street. This setback of the portions of a building over fifty-five (55) feet, however, need not exceed thirty (30) feet. The following other minimum rear yard setback regulations apply in all D-LM zones:

a. A minimum ten (10) foot rear yard setback is required whenever a rear lot line abuts any portion of a lot in a residential zone;

b. See Section 17.108.110 for reduced required rear yards setbacks next to an alley; and

c. See Section 17.108.130 for allowed projections into required yards.

6. As measured from the mean high tide.

7. This percentage of transparency is only required for principal buildings that include ground floor nonresidential facilities and only apply to the facade facing the principal street. On all other street facing facades, the requirement is one-half the standard for the facade facing the principal street. The area of required transparency is between two (2) feet and eight (8) feet in height of the ground floor and must be comprised of clear, non-reflective windows that allow views out of indoor commercial space or lobbies. Glass block does not qualify as a transparent window. Exceptions to this regulation may be allowed by the Planning Director for unique facilities such as convention centers, gymnasiums, parks, gas stations, theaters and other similar facilities.

8. This height is required for all new principal buildings and is measured from the sidewalk grade to the second story floor.

9. This regulation only applies to ground floor living space located within fifteen (15) feet of a street frontage.

D. Height, Bulk, and Intensity. Table 17.101F.04 below prescribes the height, bulk, and intensity standards associated with the D-LM Zone Height Areas described in the Zoning Maps. The numbers in the right-hand column refer to the additional regulations listed at the end of the table.

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Table 17.101F.04 Height, Density, Bulk, and Tower Regulations

[Note that in the *Draft Plan*, the numbering is different starting with Height Area 5. For clarity, the numbering has been changed as follow: Height Area 5 (previously 4A), Height Area 6 (previously 5), Height Area 7 (previously 6), Height Area 8 (previously 7), Height Area 9 (previously 8), and Height Area 10 (previously 9).]

Regulation	Height/Bulk/Intensity Area										Notes
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	
Maximum Density (Square Feet of Lot Area Required Per Unit)											
Dwelling unit	350	225	150	100	100	150	100	90	90	90	1,2
Rooming unit	175	110	75	50	50	50	50	45	45	45	1,2
Maximum Floor Area Ratio (FAR)	3.5	5.0	7.0	10.0	10.0	9.0	10.0	12.0	14.0	16.0	2
Maximum Height											
Building base	45 ft	85 ft	45 ft	45 ft	55 ft	85 ft	Not applicable	85 ft	85 ft	125 ft	3, 4
Total	No tower permitted	No tower permitted	175 ft	275 ft	400 ft	175 ft	275 ft	275 ft	400 ft	No height limit	3, 5
Minimum Height											
New principal buildings	None	None	None	45 ft	45 ft	45 ft	None	45 ft	45 ft	45 ft	6
Maximum Lot Coverage											
Building base (for each story)	Not applicable	Not applicable	100% of site area	100% of site area	100% of site area	100% of site area	100% of site area	100% of site area	100% of site area	100% of site area	
Average per story lot coverage above the base	Not applicable	Not applicable	50% of site area or 10,000 sf, whichever is greater	65% of site area or 10,000 sf, whichever is greater	65% of site area or 10,000 sf, whichever is greater	65% of site area or 10,000 sf, whichever is greater	No maximum	65% of site area or 10,000 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	85% of site area or 10,000 sf, whichever is greater	7
Tower Regulations											
Maximum tower elevation length	Not applicable	Not applicable	115 ft	150 ft	150 ft	150 ft	No maximum	150 ft	150 ft	No maximum	8, 9
Maximum diagonal length	Not applicable	Not applicable	145 ft	180 ft	180 ft	180 ft	No maximum	180 ft	180 ft	No maximum	9
Minimum distance between towers on the same building base and lot	Not applicable	Not applicable	40 ft	40 ft	40 ft	40 ft	No minimum	40 ft	40 ft	No minimum	

Notes:

1. See Chapter 17.107 for affordable and senior housing density incentives.

2. For mixed use projects in the Lake Merritt Station Area Plan District (D-LM) zones, the allowable intensity of development shall be measured according to the maximum Floor Area Ratio (FAR) allowed

by the zone without a separate residential density calculation, provided the maximum number of units is not exceeded.

3. See Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.

4. In Height Areas 3, 4 and 5, no tower regulations shall be required for buildings exceeding the maximum base height but not exceeding eighty five (85) feet in height. Buildings not exceeding 85 feet in height in these height areas shall instead be required to setback at least 50% of the portion of the building above the maximum base height a minimum ten (10) feet from the base.

5. In Height Areas 5, 9 and 10, no development will be allowed over two hundred seventy five (275) feet without the provision of community benefits as part of a bonus and incentive program, as specified in Oakland Planning Code Chapter [17.xx.xx].

6. This minimum height excludes the height of the allowed projections into the height limit contained in 17.108.030.

7. When a project contains more than one tower above the base, the total lot coverage of a story is calculated by adding the square footages of the equivalent story in each tower. For example, if there are two towers above the base and the 9th story of one tower is ten thousand (10,000) square feet and the 9th story of the other tower is twelve thousand (12,000) square feet, then the total floor area of the 9th story is twenty-two thousand (22,000) square feet. The average lot coverage of the stories above the base cannot exceed the specified percentage of lot area or 10,000 square feet, whichever is greater, with the following qualification:

> **a.** To allow a variety of articulation in a building, the lot coverage of an individual tower story can be as much as fifteen percent (15%) greater than the maximum lot coverage average per story above the base.

8. The following regulation applies to lots that both: 1) are designated as Special Area H on the LMD zone height map; and 2) have either a west or east side property line that is more than ninety (90) feet in length: the cumulative building length of the east or west elevation of all towers on such a lot shall be no more than two-thirds (2/3) the length of any east or west side property line.

9. The maximum tower elevation length, diagonal length, and average per story lot coverage above the base may be increased by up to thirty percent (30%) upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, and upon the additional finding that the proposal will result in a signature building within the neighborhood, City, or region based on qualities including, but not necessarily limited to, exterior visual quality, craftsmanship, detailing, and high quality and durable materials.

17.101G.080 - Usable open space standards.

A. General. This section contains the usable open space standards and requirements for residential development in the LMD zones. These requirements shall supersede those in Chapter 17.126

B. Definitions of LMD usable open space types. The following includes a list of available usable open space types eligible to fulfill the usable space requirements of this Chapter and the definitions of these types of open space:

Text in [brackets] will not be part of the Code language and is included here for informational purposes only.

1. "Private Usable Open Space". Private usable open space is accessible from a single unit and may be provided in a combination of recessed and projecting exterior spaces.

2. "Public Ground-Floor Plaza". Public ground-floor plazas (plazas) are group usable open space (see Section 17.126.030) located at street-level and adjacent to the building frontage. Plazas are publicly accessible during daylight hours and are maintained by the property owner. Plazas shall be landscaped and include pedestrian and other amenities, such as benches, fountains and special paving.

3. "Rooftop Open Space". Rooftop open space, a type of group usable open space, includes gardens, decks, swimming pools, spas and landscaping located on the rooftop and accessible to all tenants.

4. "Courtyard". A courtyard is a type of group usable open space that can be located anywhere within the subject property.

5. Off-site Open Space. Privately owned and maintained group usable or public open space at ground-floor or podium level within one thousand (1,000) feet of a residential development, intended to fulfill the usable open space requirement of said residential development, only.

6. Community Room. Community room can be located anywhere on the subject property and shall be available for use by all members of said residential development, only.

C. Standards. All required usable open space shall be permanently maintained and shall conform to the following standards:

1. Area.
   i. Usable open space shall be provided at the rates shown in the following table:

Activity		**Requirement**
Residential (facility with two or more living units)	Senior Housing Unit	35 *sqft per unit*
	Affordable Housing Unit	60 *sqft per unit*
	Rooming Unit	38 *sqft per unit*
	Residential Unit within a Building on the Local Register of Historic Resources	75 *sqft per unit, which can be reduced as described in Section xx (below)*
	Other Residential Unit	75 *sqft per unit*
Civic (facility with	Community Education	*sqft per unit*
	Other Civic	None

   ii. Allowed reductions for units within buildings on the Local Register of Historic Resources. If a building on the Local Register of Historic Resources cannot accommodate the usable open space requirements outlined in Table 17.xx.C. 1.a., requirements can be reduced to at least 25 square feet per unit of usable open space, although all existing group usable open space must be retained.

2. Size and Shape. An area of contiguous space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than the dimensions shown in the following table:

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Table 17.58.05: Required Dimensions of Usable Open Space

Type of Usable Open Space	Minimum Dimension	Notes
Private	10 ft for space on the ground floor, no dimensional requirement elsewhere.	
Public Ground-Floor Plaza	10 ft	
Rooftop /Community Room/ Off-Site	15 ft	1
Courtyard	15 ft	

Note:

1. Areas occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.

3. Openness. There shall be no obstructions above the space except for devices to enhance its usability, such as pergola or awning structures. There shall be no obstructions over ground-level private usable open space except that not more than fifty percent (50%) of the space may be covered by a private balcony projecting from a higher story. Above-ground-level private usable open space shall have at least one exterior side open and unobstructed, except for incidental railings or balustrades, for eight (8) feet above its floor level.

4. Location. Required usable open space may be located anywhere on the lot except that not more than fifty percent (50%) of the required area may be located on the uppermost roof of any building over eight (8) stories, other than buildings on the Local Register of Historic Resources. There is no limitation on rooftop open space on rooftop podiums that are not the uppermost roof of a building under eight (8) stories or on the Local Register of Historic Resources.

5. Usability. A surface shall be provided which prevents dust and allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt or other serviceable, dustfree surfacing. Slope shall not exceed ten percent (10%). Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate safety railings or other protective devices shall be erected whenever necessary for space on a roof, but shall not be more than four (4) feet high.

6. Accessibility. Usable open space, other than private usable open space, shall be accessible to all the living units on the lot. It shall be served by any stairway or other accessway qualifying under the Oakland Building Code as an egress facility from a habitable room. Above-ground-level space may be counted even though it projects beyond a street line. All private usable open space shall be adjacent to, and not more than four feet above or below the floor level of, the living unit served. Private usable open space shall be accessible to only one living unit by a doorway to a habitable room or hallway.

D. Landscaping requirements. At least fifty percent (50%) of rooftop or courtyard usable open space area shall include landscaping enhancements. At least thirty percent (30%) of public ground floor plaza shall include landscaping enhancements. Landscaping enhancements shall consist of permanent features, such as trees, shrubbery, decorative planting containers, fountains, boulders or artwork (sculptures, etc.) The remainder of the space shall include user amenities such as seating, decorative paving, sidewalk cafes, or playground structures.

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E. Open space credit. The total amount of required open space may be reduced in exchange for public amenities as described in [Development Incentive Chapter].

17.101G.090 - Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116. [See ***Attachment I*** – Proposed Parking Regulations]

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117. [No Change]

C. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112. [No Change]

D. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114. [No Change]

E. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the D-LM zones. [No Change]

F. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the D-LM zones. [No Change]

Attachment I - Proposed Permitted Activities and Facilities

Commercial Corridors (see proposed zoning map):
14th St; portions of 8th St, 9th St, Franklin St, Webster St, Oak St

Transition Commercial Corridors (see proposed zoning map):
1st Ave, East 12th St, International Bl; portion of 8th St, 9th St, Webster St, Franklin St, Oak St

✓ Permitted by right
CUP Conditional Use Permit
× Prohibited

		URBAN RES		PED COMMERCIAL		GEN COMMERCIAL		MIX COMMERCIAL		INSTITUTIONAL	
ACTIVITIES		1	Limitations	2	Limitations	3	Limitations	4	Limitations	5	Limitations
Residential Activities											
Permanent	*Single or multi-family housing*	✓	*SFDU not allowed.	✓	*Not allowed in front 50ft of ground floor	✓	None	✓	None	✓	*SFDU not allowed.
Residential Care	*Licensed care for 7 or more individuals*	✓	*Standard distance separation	✓	*Not allowed in front 50ft of ground floor *Standard distance separation	✓	*Standard distance separation	✓	*Standard distance separation	✓	*Standard distance separation
Service-Enriched Permanent Housing	*Supportive Housing*	CUP	*Standard distance separation	CUP	*Not allowed in front 50ft of ground floor *Standard distance separation	CUP	*Standard distance separation	CUP	*Standard distance separation	CUP	*Standard distance separation
Transitional Housing	*Housing limited by duration and population, licensed by State*	CUP	*Standard distance separation	CUP	*Not allowed in front 50ft of ground floor *Standard distance separation	CUP	*Standard distance separation	CUP	*Standard distance separation	CUP	*Standard distance separation
Emergency Shelter	*Shelters for homeless*	CUP	*Standard distance separation	CUP	*Not allowed in front 50ft of ground floor *Standard distance separation	CUP	*Standard distance separation	CUP	*Standard distance separation	CUP	*Standard distance separation
Semi-Transient	*Medium to long-term lodging (ex. SRO Hotels)*	CUP	*Standard distance separation	CUP	*Not allowed in front 50ft of ground floor *Standard distance separation	CUP	*Standard distance separation	CUP	*Standard distance separation	CUP	*Standard distance separation
Bed and Breakfast	*Short-term lodging in owner-occupied housing*	CUP		✓		✓		✓		CUP	
Civic Activities											
Essential Service	*Infrastructure, such as utilities or police and fire stations, also community gardens*	✓		✓		✓		✓		✓	
Limited Child-Care Activities	*Child care for less than 14 children, licensed by the State.*	✓		✓		✓		✓		✓	
Community Assembly	*Churches, recreation centers and public gyms*	CUP		✓	*CUP, if on ground floor	CUP		CUP		CUP	

ACTIVITIES		URBAN RES		PED COMMERCIAL		GEN COMMERCIAL		MIX COMMERCIAL		INSTITUTIONAL	
		1	Limitations	2	Limitations	3	Limitations	4	Limitations	5	Limitations
Recreational Assembly	*Public playgrounds, picnic areas, swimming pools*	✓		✓		✓		✓		✓	
Community Education	*Schools; day care for more than 15 children*	✓	* CUP, if over 5,000sf	✓	*CUP, if more than 25 feet of frontage on ground floor	✓		✓		✓	
Nonassembly Cultural	*Libraries, museums*	✓	* CUP, if over 5,000sf	✓	*CUP, if more than 25 feet of frontage on ground floor	✓		✓		✓	
Administrative	*Government offices*	✓	* CUP, if over 5,000sf * Only on ground floor or existing non-residential facility	✓	*CUP, if more than 25 feet of frontage on ground floor	✓		✓		✓	
Health Care	*Hospitals, clinics and "adult day care centers"*	✓	* CUP, if over 5,000sf * Only on ground floor or existing non-residential facility	✓	*CUP, if more than 25 feet of frontage on ground floor	✓		✓		✓	
Special Health Care	*Drug treatment and needle exchange*	×		CUP	*Not allowed if adjacent to facilities with ground floor residential	CUP		CUP		CUP	
Utility and Vehicular	*Substations; publicly operated parking lots*	CUP		CUP		CUP		CUP		CUP	
Extensive Impact	*Airports, and transmission lines*	CUP		CUP		CUP		CUP		CUP	
Commercial Activities											
General Food Sales	*Retail sales of food or beverages for off-site preparation and consumption, such as supermarkets, bakeries, produce markets*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	

		URBAN RES		PED COMMERCIAL		GEN COMMERCIAL		MIX COMMERCIAL		INSTITUTIONAL	
ACTIVITIES		1	Limitations	2	Limitations	3	Limitations	4	Limitations	5	Limitations
Full Service Restaurants	*Restaurants with table service, payment after eating, only minor portion of the food is sold for consumption off-premises*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
Limited Service Restaurant and Café	*Cafes; patrons generally order and pay before eating; seating provided onsite*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
Fast-Food Restaurant	*Fast food, sale of ready-to-eat prepared food primarily served in disposable containers, limited menu (Example: MacDonalds)*	CUP	*Only on ground floor of lonts fronting on commercial corridors or existing non-residential facility	CUP		CUP		CUP		CUP	
Convenience Market	*Sale of food and small convenience items, late hours of operation (e.g. 7-11)*	CUP	*Only on ground floor of lonts fronting on commercial corridors or existing non-residential facility	CUP		CUP		CUP		CUP	
Alcoholic Beverage Sales	*Liquor stores or bars*	CUP	*Only on ground floor of lonts fronting on commercial corridors or existing non-residential facility	CUP		CUP		CUP		CUP	
Mechanical or Electronic Games	*Video arcades*	CUP	*Only on ground floor of lonts fronting on commercial corridors or existing non-residential facility	CUP		CUP		CUP		CUP	

		URBAN RES		PED COMMERCIAL		GEN COMMERCIAL		MIX COMMERCIAL		INSTITUTIONAL	
ACTIVITIES		1	Limitations	2	Limitations	3	Limitations	4	Limitations	5	Limitations
Medical Service	*Private doctor's offices and medical testing*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
General Retail Sales	*Gift shop, hardware stores, office supply, other retail*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
Large-Scale Combined Retail and Grocery Sales	*"Big Box" stores over 100,000 square feet*	×		×		×		×		×	
Consumer Service	*Hair/nail salons, tattoo parlors, tailors, dry cleaners and laundromats*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
Consultative and Financial Service	*Banks, real estate agents, tax preparers*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
Check Cashier and Check Cashing	*Check cashing businesses*	×		CUP		CUP		CUP		CUP	
Consumer Cleaning and Repair Service	*Cleaning or repair of household appliances, furniture*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	

		URBAN RES		PED COMMERCIAL		GEN COMMERCIAL		MIX COMMERCIAL		INSTITUTIONAL	
ACTIVITIES		1	Limitations	2	Limitations	3	Limitations	4	Limitations	5	Limitations
(Consumer) Dry Cleaning Plant	*Place where dry cleaners take clothes to be cleaned*			×		×		×		×	
Group Assembly	*Instructional, amusement, or similar services provided to assemblages of people, more than 2000 sf, theaters with more than 3000 sf*	CUP	*Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
Personal Instruction and Improvement Services	*Yoga studios/gyms less than 2000sf, theaters less than 3000 sf;*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
Administrative	*Offices for law firms, non-profits, accounting, advertising, etc.,*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
Business, Communication, and Media Services	*Photocopying, printing, video editing*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
Broadcasting and Recording Services Commercial Activities	*Video and radio recording studios*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	

		URBAN RES		PED COMMERCIAL		GEN COMMERCIAL		MIX COMMERCIAL		INSTITUTIONAL	
ACTIVITIES		1	Limitations	2	Limitations	3	Limitations	4	Limitations	5	Limitations
Research Service	*Laboratories and R&D*	✓	* CUP, if over 5,000sf *Only on ground floor or existing non-residential facility	✓		✓		✓		✓	
General Wholesale Sales	*Storage and sale of bulk goods*	×		×		×		×		×	
Transient Habitation	*Hotels and motels*	×		CUP		✓		CUP		CUP	
Building Material Sales	*Bulk sale of plumbing, landscaping, mechanical equipment and supplies (Ex - Emperor)*	×		×		×		×		×	
Automobile and Other Light Vehicle Sales and Rental	*Auto and light trucks sales and rental*	×		×		×		×		×	
Automobile and Other Light Vehicle Gas Station and Servicing	*Gas stations, tire and battery services*	×		×		×		×		×	
Automobile and Other Light Vehicle Repair and Cleaning	*Minor repair or painting of autos or light trucks(does not include vehicle dismantling or salvage)*	×		×		×		×		×	
Taxi and Light Fleet-Based Services	*Passenger transportation and paratransit yards*	×		×		CUP	*Must be indoors	CUP	*Must be indoors	×	
Automotive Fee Parking	*For-profit parking lots*	×		CUP	*Only underground or in structure	CUP	*Only underground or in structure	CUP	*Only underground or in structure	CUP	
Animal Boarding	*Boarding and breeding of pets*	×		×		×		×		×	
Animal Care	*Veterinarians*	×		✓		✓		✓		CUP	
Undertaking Service	*Funeral home*	×		×		CUP		CUP		×	
Custom Manufacturing	*Beverage and food production (less than 10,000 sf); art objects and jewelry*	×		×		✓	*CUP, if ground floor	✓	*CUP, if ground floor	×	
Light Manufacturing	*Manufacture of furniture, pharmaceuticals or food production (over 10,000 sf)*	×		×		×		×		×	
General Manufacturing; Heavy/High Impact	*Tire retreading, glass and metal manufacturing; Bio-tech involving haz mat; cement and asphalt production; explosives*	×		×		×		×		×	
Research and Development	*Prototypes, plans and designs for R&D*	×		×		✓	*CUP, if ground floor *Must be indoors	✓	*CUP, if ground floor *Must be indoors	×	

		URBAN RES		PED COMMERCIAL		GEN COMMERCIAL		MIX COMMERCIAL		INSTITUTIONAL	
ACTIVITIES		1	Limitations	2	Limitations	3	Limitations	4	Limitations	5	Limitations
Construction Operations	*Storage and cutting of stone; roofing and plumbing supply storage*	×		×		×		×		×	
Warehousing, Storage, and Distribution		×		×		×		×		×	
A. General Warehousing, Storage and Distribution	*Warehouses which are enclosed*	×		×		×		×		×	
B. General Outdoor Storage, C. Self- or Mini Storage, D. Container Storage, E. Salvage/ Junk Yards	*Goods stored outside, i.e. pallets and fork lifts, Self storage for the public, Shipping containers on open lots, Storage and dismantling of vehicles and equipment*	×		×		×		×		×	
Regional Freight Transportation, Trucking and Truck-Related; Satellite Recycling Collection Centers; Primary Recycling Collection Centers; Hazardous Materials Production, Storage, and Waste Management	*Seaports and rail yard, Freight terminals, truck yards, truck repair and sales; Kiosks for the public to donate or sell cans and bottles; Larger recycling facilities, sorting and condensing material, Hazardous materials treatment and storage*	×		×		×		×		×	
Agriculture and Extractive Activities											
Crop and animal raising	*Keeping, grazing animals; raising food and fiber crops*	CUP		×		×		×		CUP	
Plant nursery	*Propagation of plants for landscaping*	CUP		×		×		×		CUP	
Mining and Quarrying	*Sand and gravel pits*	×		×		×		×		×	

Proposed Permitted Facilities

	URBAN RES		PED COMMERCIAL		GEN COMMERCIAL		MIX COMMERCIAL		INSTITUTIONAL	
ACTIVITIES	1	Limitations	2	Limitations	3	Limitations	4	Limitations	5	Limitations
Nonresidential	New construction required to incorporate at least 750sf ground floor commercial space if: Frontage is on a (1) "Commercial Transition Corridor" Corridor AND is more than 25ft wide AND is (either within an opportunity site OR on a corner lot) (2) "Commercial Corridor" AND is more than 25ft wide		New construction required to incorporate at least 750sf ground floor commercial space if: Frontage is on a (1) "Commercial Transition Corridor" Corridor AND is more than 25ft wide AND is (either within an opportunity site OR on a corner lot) (2) "Commercial Corridor" AND is more than 25ft wide		New construction required to incorporate at least 750sf ground floor commercial space if: Frontage is on a (1) "Commercial Transition Corridor" Corridor AND is more than 25ft wide AND is (either within an opportunity site OR on a corner lot) (2) "Commercial Corridor" AND is more than 25ft wide		New construction required to incorporate at least 750sf ground floor commercial space if: Frontage is on a (1) "Commercial Transition Corridor" Corridor AND is more than 25ft wide AND is (either within an opportunity site OR on a corner lot) (2) "Commercial Corridor" AND is more than 25ft wide		New construction required to incorporate at least 750sf ground floor commercial space if: Frontage is on a (1) "Commercial Transition Corridor" Corridor AND is more than 25ft wide AND is (either within an opportunity site OR on a corner lot) (2) "Commercial Corridor" AND is more than 25ft wide	

Parking requirements are based on *zoning district* and *land use classification* (within the general categories of Commercial, Residential, Civic, Industrial and Agricultural). Requirements are only triggered if there is a *changed or new land use activity* on a parcel, and if that use is *above a certain size threshold* (if one is specified). Parking requirements can be calculated based on square footage of use, number of employees, students, seats, units, or they may be prescribed by the Planning Director.

Commercial

Zone	Existing	Proposed
CBD-P, C, X	*None* (Some exceptions for auto-related uses)	***West of the Channel:*** *None (extend CBD-P requirements to former S-2 areas)* ***East of the Channel:*** *Increase trigger, lower ratios (within range of what is required for S-2 and CBD-R)*
CBD-R	Trigger - *typically 3,000sf* Ratio - *varies*	
RU-5	*Same as CBD-R*	
CIX-2	*Same as CBD-R*	
M-40	*Same as CBD-R*	
S-2	Trigger - *greater than CBD-R* Ratio - *less than CBD-R*	

Residential

Zone	Existing*	Proposed
CBD-P, C, X	*1/unit*	***West of the Channel:*** Historic Resource – *0/unit* Affordable Housing – *0.5/unit* Senior Housing – *0.25/unit* Market-rate Housing – *0.75/unit* ***East of the Channel:*** *Same, but Market-rate Housing – 1/unit* *Further reductions possible with Development Incentive Program*
CBD-R	*1/unit*	
RU-5	*1/unit*	
CIX-2	*1/unit*	
M-40	*1/unit*	
S-2	*1/unit*	

**Senior Housing – 0.25/unit with a Conditional Use Permit*

Civic

Zone	Existing	Proposed
CBD-P, C, X	Varies - *None , prescribed by Planning Director*	***West of the Channel:*** *Similar to CBD-P, C, X with some reductions in ratios for desired uses:* Community Education, Community/Recreational Assembly ***East of the Channel:*** *Similar to S-2 zones*
CBD-R	Varies – *Higher ratios than other CBD zones*	
RU-5	*Same as CBD-R*	
CIX-2	*Same as CBD-R*	
M-40	*Same as CBD-R*	
S-2	*Same as CBD-C, CBD-P, CBD-X*	

Industrial/Agricultural

Zone	Existing	Proposed
CBD-P, C, X	*None*	***West of the Channel:*** *None (similar to CBD-P,C,X zones)* ***East of the Channel:*** *Similar to S-2 zones*
CBD-R	Trigger - *5,000sf* Ratio – *1 per 1,100 to 1,500sf (or 3 employees)*	
RU-5	*Same as CBD-R*	
CIX-2	*Same as CBD-R*	
M-40	*Same as CBD-R*	
S-2	Trigger - *10,000sf* Ratio - *Same as CBD-R*	

Existing Regulations that will be maintained:

- New stand-alone parking lots not allowed; only parking structures
- Possibility of reducing requirements by 50% for parking shared by multiple land use activities with granting of a Conditional Use Permit
- Planning Director Approval to Reduce/Waive requirements in Parking Benefit Districts
- Location of parking – on site or lot within 300ft, if same owner
- Number of parking spaces may be reduced by up to fifty percent (50%) upon the granting of a conditional use permit, based on determination that there will not be a significant parking impact on the surrounding neighborhood through a combination of a parking demand management plan, transit availability, and other factors.

New Regulations to be added:

- Include S-15 zone regulations:
  - Location of parking – can be site off site within 300ft with agreement
  - Shared parking by time of day with agreement
- Allow unbundling of parking spaces from residential units